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# JOURNAL OF THE COUNCIL,

AT THE

FIRST REGULAR SESSION

OF THE

# GENERAL ASSEMBLY,

OF THE

# TERRITORY OF NEBRASKA,

BEGUN AND HELD AT OMAHA CITY, COMMENCING ON TUESDAY THE SIXTEENTH DAY JANUARY, A. D. 1855, AND ENDING ON THE SIXTEENTH DAY OF MARCH, A. D. 1855.

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# JOURNAL OF THE COUNCIL.

TUESDAY, JANUARY 16th, 1855.

This being the day designated by the Governor, for the assembling of the first General Assembly of the Territory of Nebraska, the hour of 10 o'clock having arrived, the Council was called to order and temporarily organized, by appointing Hiram P. Bennett of Pierce county, President *pro tem*, and Isaac R. Alden of Washington county, Chief Clerk, *pro tem*.

A Proclamation was received from the Executive, announcing the names of the following gentlemen as members elect of the Council from their respective counties.

| | |
|---|---|
| JOSEPH L. SHARP | From Richardson County. |
| RICHARD BROWN | From Forney County. |
| HIRAM P. BENNETT | From Pierce County. |
| CHARLES H. COWLES | " " " |
| HENRY BRADFORD | " " " |
| SAMUEL E. ROGERS | From Douglas County. |
| O. D. RICHARDSON | " " " |
| A. D. JONES | " " " |
| T. G. GOODWILL | " " " |
| J. C. MITCHELL | From Washington county. |
| M. H. CLARK | From Dodge County. |
| B. R. FOLSOM | From Burt County. |
| LAFAYETTE NUCKOLLS | From Cass County. |

Mr. Sharp moved the appointment of a committee of three to examine the credentials of members,

Which was agreed to.

Messrs. Sharp, Mitchell and Nuckolls were appointed such committee.

On motion, the Council adjourned to meet at 2 o'clock, P. M.

AFTERNOON SESSION.

Mr. Rogers moved the appointment of B. R. Folsom, of Burt county, as the temporary presiding officer of the Council, which motion was withdrawn.

A committee from the House of Representatives was announced, and reported that the House was temporarily organized, and respectfully tender an invitation to the Council, to meet them in Joint Convention for the purpose of receiving any communication the Executive might wish to make.

The committee on Credentials through their Chairman, made the following report, which on motion, was accepted and the committee discharged.

"Your committee after having carefully examined the certificates of the following gentlemen, find the same apparently correct, to wit:

From Douglas county.—A. D. Jones, Taylor G. Goodwill, O. D. Richardson and Samuel E. Rogers.

From Washington county.—James C. Mitchell.

From Pierce county.—Henry Bradford, Charles P. Cowles, H. P. Bennett.

From Forney county.—Richard Brown.

From Dodge county.—Munson H. Clark.

From Richardson county.—Joseph L. Sharp.

From Cass county.—LaFayette Nuckolls.

From Burt county.—Benjamin R. Folsom.

On motion, Samuel Marks of Cass county, was chosen assistant Clerk *pro tem*, Jonathan Shinn, Sergeant-at-arms and Jonathan Tyson, Door-keeper *pro tem*.

On motion of Mr. Richardson,

The chair appointed a committee of three members, consisting of Messrs. Richardson, Goodwill and Brown to inform the House, that the Council had temporarily organized and would meet them in the Hall of the House of Representives within ten minutes to receive the Message of the Governor and any other communications he might deem proper to make.

The committee retired, and after a brief absence, returned, and announced that they had discharged their duty, when on motion,

The Council proceeded in a body to the House, and listened to the reading of the Governor's Message.

Previous to the delivering of the Message the Executive proceeded to administer the oath of office to all the members of both Houses. except Mr. Clark of the Council, who was absent, and Messrs. Bennett, Bradford and Nuckolls of the same body, who declined taking the oath.

The Governor addressed the Convention as follows :

GENTLEMEN OF THE COUNCIL AND HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF NEBRASKA :

It is doubtless expected by you that, in compliance with general usage, an Executive Message will be submitted to your consideration, at the opening of this the first session of your General Assembly.

Having indulged the hope, up to the arrival of the last mail, that the successor of the late Governor BURT would be able to reach us—and, being unwilling and unable to indicate the policy of another, as to the various special subjects committed to your legislation, I shall limit myself, in this hurried and brief communication, to a few recommendations of a general nature, immediately suggested by the condition of your territorial affairs, and the impressive circumstances under which you have assembled.

The admission of our territory, after so memorable a struggle, has added, as it were, a new leaf to the charter of popular rights, and it is a grateful reflection, that you have so promptly impressed upon it (during the same Congressional term, in which your territory has been added to the Republic) the record of your early and harmonious organization.

You have thus given an augury of your faithful and zealous discharge of the responsible duties devolved upon you, in the regulation of your domestic affairs, and have justified the trust reposed in you by the friends of civilization, and of the unity and progress of our beloved country.

By the intervention of Divine Providence, it has been my duty to assume the responsibility of the executive acts incident to your inauguration. We may be thankful that the embarrassments arising from the sectional strifes which have retarded or arrested the interests of nearly every territorial government, have been met, within a brief space, by an individual whose humble fortunes are relatively of little moment : and that the permanent Executive of your Territory, elevated above the scene of fierce local animosities, and popular turmoil, will blend a dignified disinterestedness with an appreciated efficiency—a position of eminent respect and usefulness, well befitting the Chief Magistrate of the largest Commonwealth of freemen within the limits of the Union or the world.

The first official act within our Territory has been indeed a mournful one—the transmission to a bereaved wife and orphaned children in South Carolina, of all that was mortal of your late lamented Governor, FRANCIS BURT. In his death you have suffered a severe loss—the loss of a man peculiarly qualified

by his public experience and capacity, his private virtues, and his energy and firmness, for the satisfactory and courageous discharge of his official duties. He spent but a few weeks of suffering among us, and his grave, in a far off state, is only another tie of union between communities widely severed, who will revert to his memory with fraternal pride, and to his untimely decease, with sympathetic sorrow, There were no unpleasant discriminations to subtract from the universal esteem in which his manly and amiable traits were held by an enlightened people ; and the fact that South Carolina has given us one of her distinguished sons, is accompanied upon your record, by the expression of your undivided respect and affection.

One of the principal subjects of general interest to which, next to the enactment of your laws, your attention will be directed this winter, is that of a Pacific Railroad. You have acquired, in respect to this, an acknowledged precedence ; and the expression, in your representative capacity, of the wishes of your constituents, throughout the vast extent of your Territory, may have a potent influence, together with the efforts of your friends, in promoting the construction of such a road up the valley of the Platte.

Many reasons lead to the conclusion that such a memorial from you will be of practical efficacy in contributing to the speedy consummation of such an enterprise—an enterprize of such absolute necessity as a means of intercommunication between the Atlantic and Pacific States, and as the purveyor of a lucrative commerce with India, China, and the Pacific Islands. Among these are the facts that the valley of the Platte is on the nearest and most direct continuous line from the commercial metropolis of the east, by railroad and the great Lakes, through the most practical mountain passes, to the Metropolis of the West ; that it is fitted by nature for an easy grade ; and that it is central and convenient to the great majority of grain growing states, and of the northern portion of the Union, being situated in latitude 41 degrees north, while the majority of the people of the whole country are between the 38th and 46th degrees of north latitude. It seems to me that it will be the desire of the friends of this great enterprise—one of the most prominent and important of all the measures of national developement upon this continent now under the consideration of the people of the United States—to act immediately in the selection of routes, and to establish a permanent policy, the details of which may be practically prosecuted in the coming spring ; and I sincerely hope and believe that your legislative memorial in Congress may have its legitimate weight in the decision of a question of such momentous interest.

In view, however, of the uncertainty arising from the sectional conflict with which the subject is surrounded, I would respectfully suggest that such a memorial should urgently, if not principally, ask for a preliminary provision, from granting which the general government will scarcely be deterred by considerations of policy or economy. I refer to a proposition presented to Congress, eight years ago, for "Telegraphic and Letter Mail communication with the Pacific," including the protection of emigrants and formation of settlements along the route through Nebraska, Utah, California and Oregon ; the promotion of amicable relations with the Indians, and facilitating intercourse across the American Continent, between Europe and Asia, and the islands, and American coasts of the Pacific.

This plan is, substantially, that, instead of or in addition, to garrisons at isolated points—parties of twenty dragoons shall be stationed at stockades twenty to thirty miles apart, on a route designated by the Executive of the United States, as a " Post Road" between the Missouri river and the Pacific ; that express mails shall be carried by said dragoons riding each way and meeting daily between the stockades ; and affording complete supervision

and protection of a line of electric telegraph constructed by private enterprise.

By such an arrangement, in which every detail is subject to free public competition, a line of telegraph may be opened within one year to the Rocky Mountains, and a largely increased mail transported in half the time now required, and with perfect security, between the Atlantic and Pacific states; at the same time giving complete protection to the thousands who annually travel on the route, and conducing not only to the settlement of Nebraska, but of the vast regions between us and our fellow Pioneers upon our western coasts.

Such an emigrant highway would afford one of the best and speediest mail lines in the world, giving efficiency to troops already in service for purposes of protection; encouraging emigration, and making a continuous series of settlements and cultivated farms around the stockades, between which individual or corporate enterprise will the more speedily construct the long desired and expected "Pacific Railroad."

The location of Nebraska, remote from, but intermediate between the Atlantic and Pacific, indicates the neeessity of facilitating intercourse between its inhabitants and their fellow citizens on the shores of both oceans. It is the duty of governments to defend life and property, and protect and quicken communication between all portions of their domain; and this requirement is especially imperative upon the Federal and State Governments of our widely extended Union, in respect to territories where civilization is struggling for a foothold, and the farms and firesides of whose pioneers have a just claim upon the protection of a power whose fleets are traversing every sea for the defence of its citizens.

Aside, too, from the direct practical blessings of such a system, faithfully carried out in all its details, and its immense effect on the correspondence and business of the world, the project acquires additional importance from the fact, that it will contribute to bind together States far separate, and of diverse interests, in the commercial fraternity and sympathy of an inseparable union.

We may reasonably expect that a memorial advocating the advantages of the Platte valley, as a route for the Pacific railroad, and, urging especially and strenuously, the immediate adoption of a policy similar to the above would not be without its influence upon the deliberations of Congress.

By letters received from the Department of State, we are informed that the United States laws, and other documents usually sent to territories, were forwarded in August and September last. As yet none of them have reached us, but we may expect them in the coming spring—together with the library purchased under the direction of the Secretary of the Interior, under the appropriation of $5000, at the first session of the present Congress.

In the enactment, however, of a Code of Laws, and the establishment of public institutions, you have the benefit of an ample fund of experience treasured by neighboring states, which have passed through the same ordeal. It is believed that, by a comparison of their statutory provisions, and with the co-operation of the Territorial Judiciary, a system of law and practice may be framed, sufficiently symmetrical and complete, to need but little material modification by future assemblies.

In addition to this most important duty, the general interest of the Territory will doubtless be greatly advanced by your practical recommendations in the departments of commerce, manufactures and agriculture. By the passage of general incorporation laws you may advance the two former branches of industry, and, by timely and special provisions, may materially augment and quicken the profits of the latter. In a country of such vast and

undeveloped agricultural wealth, and of easy tillage, but so sparsely timbered, our welfare would be greatly promoted and immigration increased, by provisions ensuring a supply of timber when the present growth shall have beee exhausted. Such provisions would contribute to encourage the more rapid and dense settlement of the interior, and dispel the prejudice against our fertile and timberless prairies, by proving it as feasible and profitable to raise forests upon their arable soil, as to reduce heavily timbered lands to an equal aptitude for cultivation.

I would also suggest, in this connection, that specimens of every species of mineral, found on the premises of any citizen, (not excepting Lime Rock, Sand Stone, Slate, Gypsum, and the products of metalliferous veins,) shall be sent, carefully described, to the Executive Office, to be deposited in a Territorial Cabinet, which will be of material advantage in effecting a just conception and proper development of our mineral wealth.

In a government like ours, where sovereignty is, in fact, as well as in theory, with the people, the interests of education and christianity—which are the guarantees of the perpetuity of our free institutions—will be especially fostered and protected. Our new States and Territories, under the lights of the past, illustrating the path of public honor and safety, have endeavored to improve, each upon the other, in systematizing and generously endowing this most important department of public service—the education of those who are hereafter to fill the places of honor and trust, develope the resources of the country, by the intelligent application of labor, and direct our destinies, under the political rights given us by the Federal Constitution.

I trust and believe that Nebraska will suffer no disparagement by a comparison in this respect, with her sister territories.

We have reason to believe that bands of the Sioux, Puncas and other Indians, stimulated by poverty and rapacity, and emboldened by previous success, will renew their depredations upon emigrants, in the coming spring, or may, this winter, descend upon the frontier settlements. I therefore respectfully renew the recommendation of a late proclamation, that volunteer companies be organized for self protection, in every neighborhood, ready to move at any moment, wherever their services may be needed.

Gentlemen of the Council and House of Representatives: The introduction of our Territory into the great family of the Republic, after a prolonged and fierce political contest, has signalised the victory of the constitution, and of popular rights—re-enacting in this, the early manhood of our country, the principles for which our fathers fought in its infancy. For seventy-nine years our confederation has gone on prospering, and gloriously falsifying the forebodings of the timid, gladdening the hearts of its friends, and successively trampling under foot every conspiracy against the equal rights of all its citizens. We stand in the centre of this great Confederacy. Our fellow citizens are brothers from nearly every state. In our admission, geographical lines were erased between the North and the South. Let us institute no line of demarcation within our territorial boundaries, separating communities of embittered feelings! Let mutual concession and concilliation characterize our public acts, so that tranquillity and satisfaction may the more speedily prevail over the conflict of local interests. In a time of the temporary success of false issues, let us justify the reliance of our friends upon the efficacy and patriotism of "Popular Sovereignty." Let us endeavor to carry onward and upward the Territory and the Republic to the heighth so easily reached by the legitimate exercise of the intelligent will of the people. Let us stand firmly by the Federal Constitution, and the Union, which still by the blessing of Heaven, exist unimpaired, in all their primitive beneficence and glo-

ry, growing yearly stronger and stronger in the affections of the American people, and of every nation of the world.

The vital principles of our constitutional existence are energizing republican efforts in both hemispheres. Let us, for whom they have been again and so boldly enunciated, promptly endorse them, and perpetuate the blessings conferred upon us—so that the sovereign citizen of any sister state, looking to the steady and harmonious progress of our young Territory, and its manly defence of the interests of the Republic, may apply to us, and with as profound an emotion, the encomium bestowed by an illustrious General upon his victorious comrades, after a hard fought battle: "YOU HAVE BEEN BAPTISED IN FIRE AND BLOOD, AND YOU HAVE COME OUT STEEL."

I could not forbear, gentlemen, in transferring to another the trust reposed in me, from expressing a heart-felt pride, that our Territory—being thus speedily built up, as another arch in the National fabric—your public acts and counsels will contribute to defend and perpetuate the Union and the Constitution of the United States, as the only sure foundation of our civil liberties.

I trust that your deliberations, by the blessing of Divine Providence, may be conducted with efficiency and prudence, and that the most ardent hopes of each one of you who have confronted the hardships and trials of Pioneer life, may be realized in the promotion of the lasting good of our vast and promising young Territory.

T. B. CUMING,
Acting Governor of Nebraska.

The business of the convention having been consumated the members of the Council repaired in order to their chamber.

Mr. Richardson moved a call of the House, which was had, and Messrs. Clark, Mitchell and Nuckolls were found absent.

On motion of Mr. Sharp,

*Resolved,* That either of the Justices of the Supreme Court be requested to appear at the bar of the Council, for the purpose of qualifying such members as have not been qualified, Provided that no person shall take his seat who has not presented credentials for the examination of the committee on that subject.

Mr. Bennett begged to be excused from further service as presiding officer of the Council, which request was complied with.

Mr. Richardson moved that Mr. Folsom be chosen temporary chairman.

The Clerk was requested to put the motion, which resulted in no choice.

Mr. Richardson called for a division, and the question being again taken, resulted in the election of Mr. Folsom.

Mr. Sharp offered the following:

*Resolved,* That there be 1000 copies of the Governor's Message, printed for the use of the Council.

Mr. Bradford offered an amendment to strike out "one thousand" and insert "five hundred."

The question being taken on the amendment, it was lost.

The question recurring on the original resolution, it was adopted.

Chief Justice Ferguson appeared within the bar of the Council, and administered the qualifying oath to all the members of the Council, except Mr. Clark who was absent, when,

On motion of Mr. Sharp,

The Council adjourned till to-morrow morning 10 o'clock.

ISAAC R. ALDEN, Chief Clerk *pro tem.*

WEDNESDAY, JANUARY 17TH, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Mr. Folsom in the chair.

On motion of Mr. Richardson,

*Resolved,* That the Council will now proceed to the election of President of this body, Chief Clerk, Assistant Clerk, Sergeant-at-arms and Doorkeeper, to serve during the session.

Mr. Richardson nominated Mr. Sharp of Richardson county, for President of the Council, whereupon,

On motion of Mr. Mitchell,

Mr. Sharp was declared duly elected.

Messrs. Mitchell and Richardson were chosen a committee to conduct the President to the Chair, on taking which he delivered the following address:

GENTLEMEN OF THE COUNCIL:—

Usage, as well as inclination prompts me to tender you my thanks for the uncommon mark of confidence bestowed upon me by calling me to this Chair, by a unanimous vote, to preside over and conduct your deliberations.

In view of the varied character of the business that will be brought to your consideration, the diversity of opinion that may arise among you, together with a sense of my own inability, I should shrink from the responsibility taken upon myself, in assuming the Chair, was it not for an abiding confidence that I shall have your generous support and efficient co-operation in establishing and maintaining good order during the session.

Again permit me to return my sincere gratitude for your kindness.

The Council then proceeded to the election of Chief Clerk.

Mr. Mitchell nominated Isaac R. Alden.

Mr. Richardson nominated G. L. Miller.

On the first ballot Mr. Alden received six votes and Mr. Miller received six when a suggestion to defer the election of Clerk was concurred in.

On motion of Mr, Richardson,

*Resolved,* That a select committee of three members be appointed, whose duty it shall be, forthwith, to prepare and report a set of rules for the government of the Council.

Messrs. Richardson, Folsom and Bradford were appointed such committee.

Mr. Richardson offered the following joint resolution:

Resolved by the Council and House of Representatives of the Territory of Nebraska, That a joint committee of two members from each House be appointed to prepare a set of joint rules for the government of the two bodies.

Mr. Bradford offered the following, which

On motion of Mr. Richardson, was laid upon the table.

*Resolved,* That John W. Pattison be, and is hereby appointed to contract for, and superintend the publication of 1000 copies of the Governor's Message for the use of the members of the Council.

On motion of Mr. Richardson,

*Resolved,* That the Governor, Secretary, and Judges of the Supreme Court be invited to take seats within the bar of the Council.

Mr. Clark of Dodge county appeared in his seat and took the oath of office.

The Council resumed the business of electing Chief Clerk.

Messrs. Alden and Miller were nominated.

The ayes and nays being ordered those who voted for Mr. Alden were—

Messrs. Bennett, Bradford, Clark, Cowles, Mitchell and Nuckolls—6.

Those who voted for Mr. Miller were—

Messrs. Brown, Folsom, Goodwill, Jones, Rogers, Richardson and Sharp—7.

Mr. Miller receiving a majority of the votes cast was declared duly elected.

Mr. Rogers nominated O. F. Lake for Assistant Clerk.

Mr. Bennett nominated Mr. Marks.

Mr. Lake receiving a majority of the votes cast was declared duly elected.

Mr. S. A. Lewis being put in nomination for Sergeant-at-arms, and having a majority of the votes cast was declared duly elected.

Mr. N. R. Folsom being nominated for Doorkeeper and receiving a majority of the votes cast was declared duly elected.

These several officers now appeared and took the oath of office together with the President of the Council, which was administered by Hon. E. R. Hardin, Associate Justice.

Mr. Mitchell presented the following:

*Resolved*, That a committee of three be appointed to investigate the claims of A. W. Hollister of Douglas county to a seat in this body.

On motion of Mr. Richardson,

The resolution was laid upon the table.

Mr. Mitchell offered the following:

*Resolved*, That a committee of three be appointed to investigate the claims of B. Y. Shelley of Burt county to a seat in this body.

On motion of Mr. Folsom,

The resolution was laid upon the table.

On motion of Mr. Richardson,

*Resolved*, That the Clerk of the Council inform the House of Representatives, by message, that this body is now permanently organized by the election of Joseph L. Sharp as President, G. L. Miller Chief Clerk, O. F. Lake Assistant Clerk, S. A. Lewis Sergeant-at-arms, and N. R. Folsom Doorkeeper, and is now ready to proceed to business.

On motion the Council adjourned till 2 o'clock P. M.

AFTERNOON SESSION.

On motion of Mr. Folsom,

The rules of the Senate as laid down in Jefferson's Manual, so far as they may be applicable to its use, were adopted for the government of the Council until the rules should be reported.

On motion of Mr. Bennett,

*Resolved*, That all reporters of newspapers present be admitted to a seat within the bar of the Council.

On motion of Mr. Goodwill,

*Resolved*, That the Clerk give notice to the House, by message, that the Council have appointed Messrs. Richardson and Bennett a committee on the part of the Council to join a like committee on the part of the House, to prepare and report joint rules for the government of the two bodies.

On motion of Mr. Jones,

*Resolved*, That a committee of two be appointed by the Council to act in conjunction with a like committee on the part of the House, to inquire into, and report to each House respectively, the best, most economical, and prompt mode of having done the public printing.

*Resolved*, That the Clerk inform the House, by message, of the appointment of a committee on printing to confer with a similar committee on the part of the House on the same subject.

On motion of Mr. Bennett,

*Resolved*, That 500 copies of the Organic Law of Nebraska Territory be printed for the use of the Council.

Mr. Bradford offered the following:

*Resolved*, That the President now appoint the committee on elections.

Mr. Richardson moved that the resolution be laid on the table.

A call of the House was demanded which, being taken, Messrs. Goodwill and Clark were absent, when,

On motion, the Sergeant-at-arms was dispatched for the absentees.

Mr. Richardson moved that all further proceedings under the call be dispensed with. Lost.

Mr. Goodwill now appearing in his seat, and the question recurring on Mr. Richardson's motion, the resolution was laid on the table.

On motion, the Council adjourned till to-morrow morning 10 o'clock.

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THURSDAY MORNING, JANUARY 18th, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Mr. Bennet moved to take up the resolution referring to the claims of B. Y. Shelly to a seat in this body.

Mr. Richardson moved that the motion be laid upon the table.

A division of the House was ordered, and the motion was laid on the table.

Mr. Bennet moved to take up the resolution calling for an investigation into the right of A. W. Hollister to a seat in this body.

Mr. Richardson moved that the resolution be laid upon the table.

On a division, the motion was laid upon the table.

On motion of Mr. Bennet,

*Resolved*, That the Governor be requested to lay before this Council the census returns prior to the late election.

On motion, the Council adjourned till Monday morning, 10 o'clock.

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MONDAY, JANUARY 22d, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Mr. Jones presented the petition of J. D. M. Crockwell and thirty-one others, asking to have the boundaries of Dakotah county defined as in said petition set forth, and also for the location of the county seat of said county at Dakotah city.

On his motion, laid on the table.

Mr. Richardson on leave introduced the following:

Resolved, by the Council and House of Representatives of the Territory of Nebraska, That the style of the laws which shall be passed by the said Council and House, shall commence in the following manner, to wit:—Be it enacted by the Council and House of Representatatives of the Territory of Nebraska,

On motion, the resolution passed to a second reading, when

Mr. Rogers offered the following amendment:

Be it enacted by the people of the Territory of Nebraska in Council and House of Representatives.

The question being taken on the amendment, it was lost.

Mr. Rogers offered the following amendment:

Be it enacted by the people of the Territory of Nebraska in General Assembly convened.

The question being taken on the amendment, it was lost.

On motion of Mr. Richardson, the resolution passed to a third reading, and was ordered to be engrossed.

On motion of Mr. Richardson,

*Resolved*, That the President be authorized to invite Rev. W. Hamilton or some other clergyman, to officiate as chaplain to this body at the opening of its daily sessions.

Mr. Clark gave notice of bill to incorporate the Platte Valley Railroad Company.

Also, of a bill for incorporating the Nebraska Colonization Company.

Also, of a bill for incorporating the New England Land and Emigration Company.

On motion, the Council adjourned till 2 o'clock P. M.

AFTERNOON SESSION.

On motion of Mr. Fulsom,

*Resolved*, That William McClelland be admitted within the bar of the Council as correspondent of the St. Louis News and Warsaw Weekly Express, during the pleasure of the Council. Mr. Nuckolls gave notice of a jotnt resolution and memorial for a grant of land to build a certain railroad therein mentioned.

Also, of a bill and joint resolution to incorporate the Missouri river and Platte Valley Railroad Company.

Mr. Rogers gave notice of a bill to incorporate the Plattsmouth Ferry Company.

Also of a bill to incorporate the Platte River Bridge Company.

Also, of a bill to establish the boundaries of Richardson county and locate the county seat thereof, also

Of a joint resolution relating to popular sovereignty, also

Of a bill to incorporate Omaha city.

On motion of Mr. Richardson,

*Resolved*, That the President appoint two messengers for the Council, one immediately and the other as soon as he deems it necessary.

On motion of Mr. Clark,

*Resolved*, That Charles Howard be appointed fireman for the Council.

The President appointed Waldo Thompson as messenger for the Council.

On motion of Mr. Goodwill,

*Resolved*, by the Council and House of Representatives of the Territory of Nebraska, That there be appointed a joint committee of two on the part of the Council, to confer with a like committee on the part of the House, to make arrangements with the postmaster relating to the postage of the members during the present session.

Mr. Mitchell gave notice of a bill for incorporating the city of Florence in Washington county.

Mr. Jones gave notice of a bill for an act regulating the sale of town lots.

Mr. Clark gave notice of a bill for an act to incorporate the Florence Bridge Company, also

Of a bill to incorporate the city of Fontanelle in Dodge county.

Mr. Sharp gave notice of a bill to incorporate the Nemaha Land Company.

Mr. Jones offered the following:

*Resolved*, That the county officers shall consist of a County Judge, who shall have probate jurisdiction; a County Clerk who shall perform the duties of School Fund Commissioner; a Sheriff who shall perform the duties of Coroner and Assessor; a Recorder who shall perform the duties of collector and treasurer, and a surveyor.

On motion of Mr. Clark, the resolution was laid on the table.

Mr. Cowles gave notice of a bill to incorporate Nebraska city.

Mr. Nuckolls gave notice of a bill to incorporate the town of Plattsmouth.

Mr. Clark gave notice of a bill to incorporate the city of Bellevue.

Mr. Brown gave notice of a bill to incorporate the town of Brownville, Forney county.

On motion, the Council adjourned till to-morrow moring, 10 o'clock.

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TUESDAY, JANUARY 23d 1855.

MORNING SESSION.

Mr. Nuckolls introduced a joint resolution and memorial praying for the construction of a railroad from Plattsmouth, in Cass county, via Forts Kearney and Laramie to the South Pass, which was read the first time.

Message from the House:

MR. PRESIDENT—By a resolution passed the House of Representatives, I am directed to inform you that a committee consisting of Messrs. Latham, Poppleton and Johnston is appointed by that body to act in conjunction with a like committee on the part of the Council to report joint rules for the government of the two Houses during the present session.

I will also inform you that Messrs. Goyer and Thompson have been appointed on the part of the House to confer with a like committee on the part of the Council relative to the postage and transmission of mails of the two Houses.

J. W. PADDOCK, Chief Clerk.

Mr. Goodwill moved to lay the resolution and memorial introduced by Mr. Nuckolls upon the table, on which

The ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers—7.

Nays—Messrs, Bradford, Cowles, Nuckolls, Mitchell, Sharp—5.

So the memorial and resolution were laid upon the table.

Mr. Cowles introduced the following:

*Resolved*, That as inasmuch as the Hon. Bernhart Henn, of Iowa, has introduced a bill for a grant of land for the benefit of the proprietors of Omaha city, we request the Hon. N. B. Giddings to procure, if possible, one section (640 acres) of land for the benefit of the proprietors of the following named cities and towns:

Tekamah and Blackbird, of Burt county, Fort Calhoun and Florence, of Washington county, Fontanelle and Dodge city, of Dodge county, Omaha city, of Douglas county, Nebraska city and Kearney city, of Pierce county, Brownville, of Forney county, and Archer, of Richardson county.

Mr. Goodwill moved to lay the resolution upon the table.

On which motion the ayes nays were ordered, and the resolution was laid upon the table by the following vote:

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers—7.

Nays—Messrs. Bradford, Cowles, Nuckolls, Mitchell, Sharp—5.

Mr. Richardson gave notice of a bill to locate the seat of government of Nebraska.

Also, of a bill granting a ferry charter to Wm. McLennan, at Nebraska city, Pierce county, Iowa.

Mr. Rogers offered the following joint resolution:

Resolved, by the Council the House concurring therein, That the inherent right of self government on the part of the people should be guarded with

scrupulous care, and that we would deprecate any attempt on the part of Congress to dictate what should be the internal policy of this Territory as being an infringement of the constitutional rights of the people.

That our delegate in Congress be and he is hereby requested to use his best efforts to maintain inviolate the principles of popular sovereignty as set forth in the Nebraska Bill, and to prevent the repeal or modification of said act.

That Stephen A. Douglas and Col Richardson have our hearty thanks for their untiring perseverance in bearing aloft the glorious national banner upon which those principles are inscribed.

Mr. Folsom gave notice of a bill to incorporate the Nebraska Stock Company.

Also, of a bill for a ferry charter at or near Tekamah, Burt county.

Also, of a bill to incorporate the town of Tekamah, Burt county.

Mr. Mitchell gave notice of a bill for a ferry charter on the Missouri river, at Florence in Washington county.

Mr. Brown gave notice of a bill for an act to incorporate the Nemaha bridge company.

Also, of a memorial and joint resolution asking for mail service on certain routes therein mentioned.

Mr. Nuckolls introduced a bill to incorporate the Missouri river and Platte Valley railroad company, which on his motion, was

Passed to a second reading.

On motion of Mr. Richardson,

Said bill was laid on the table.

Mr. Rogers introduced a bill to incorporate the Plattsmouth ferry company, which was read a first time.

Mr. Goodwill moved to lay the bill upon the table.

The question being taken, the motion was lost, when

Mr. Rogers moved a suspension of the rules, and the bill be passed to a second reading.

A division was called, the rules dispensed with, and the bill was read a second time.

Mr. Rogers introduced a bill for an act to establish the county of Richardson, and to locate the seat of justice thereof.

Mr. Clark gave notice of a bill granting D. C. Oakes a charter to keep a ferry across the Elkhorn river at Iron Bluffs.

Also, a bill for an act granting a charter to Wm. Kline to keep a ferry across the Elkhorn between the mouth of Belle creek and Logan's creek.

Also, of a bill for a charter for a bridge for the Elkhorn bridge company.

Also, of a bill for an act granting a ferry charter across Loup Fork river for the Loup Fork ferry company.

Mr. Clark introduced a bill to incorporate the Platte Valley railroad company.

Also, a bill for an act to incorporate the Nebraska colonization company.

Also, a bill for an act to incorporate the New England land and emigration company, all of which were read a first time, and, on his motion,

Laid upon the table.

Mr. Rogers moved to dispense with the rules, and that the joint resolution relating to popular sovereignty pass to a second reading.

The question being taken, the resolution was read a second time.

On motion the Council adjourned till 2 o'clock, P. M.

AFTERNOON SESSION.

Mr. Jones, from the joint committee on printing, submitted the following

REPORT:—

Your committee are of opinion that such a bill as is required must, to be of any essential service to the community comprise a complete criminal code, and as the short time to which our labors are limited precludes the idea of compiling such a code as would be satisfactory, we would recommend to your honorable body to adopt a code already compiled and printed, and from the fact that a large portion of the inhabitants of this Territory are more familiar with the code of Iowa than with any other, and that most of the general laws already adopted by this Legislature are copied with little variation from the said code, and from the further consideration that the printed laws of Iowa are easily accessible to nearly the entire people of the Territory; your committee would recommend the adoption of the fourth part of the said code as part of the laws of this Territory, making such verbal changes as the nature of the case requires, and for that purpose ask leave to report the following bill, (C. F. No 105.)

Which on motion was accepted, and the committee discharged.

On motion of Mr. Jones,

Resolved, That the Chief Clerk of the Council be required to have done all the printing ordered by the Council until otherwise directed.

Mr. Bradford offered the following:

Resolved, That the Governor be requested to furnish the Council with the original census returns of the Territory, together with any modification thereof on which representation has been based.

Mr. Goodwill moved to lay the resolution on the table.

On which question the ayes and nays were ordered with the following result:

Ayes—Messrs. Clark, Folsom, Goodwill, Jones, Richardson, Rogers, Sharp—7.

Nays—Messrs. Bradford, Brown, Cowles, Nuckolls, Mitchell—5.

So the resolution was laid on the table.

Mr. Bradford offered the foliowing:

Resolved, That the Governor be requested to furnish the Council with any and all instructions given to the census takers calculated or which did prevent them from enumerating residents in any part of the Territory.

Mr. Folsom moved to lay the resolution upon the table.

On which question the ayes and nays were ordered, and the resolution was laid upon the table, by the following vote.

Ayes—Messrs. Clark, Folsom, Goodwill, Jones, Richardson, Rogers, Sharp—7.

Nays—Messrs. Bradford, Brown, Cowles, Nuckolls, Mitchell—5.

Mr. Bradford introduced the following:

Resolved, That a committee of three be appointed whose duty it shall be to inquire into the manner of taking the census, the legality thereof.

That they have power to send for persons and papers, and to hold their sessions at such time and places as they may deem expedient.

Mr. Goodwill moved to lay the resolution upon the table.

On which question the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs, Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers, Sharp—8.

Nays—Messrs. Bradford, Cowles, Nuckolls, Mitchell—4.

On motion of Mr. Mitchell,

Resolved, That the Attorney General of this Territory be invited to take a seat within the bar of the Council.

Mr. Richardson, from the committee appointed to report permanent rules for the Council, made the following

REPORT:—

1. The President, having taken the chair, and a quorum being present, the journal of the preceding day shall be read, to the end that any mistake may be corrected that shall be made in the entries. A quorum shall consist of a majority of the members elected to the Council.

2. No member shall speak to another, or otherwise interrupt the business of the Council, or read any newspapers, while the journals or public papers are reading, or when any member is speaking in any debate.

3. Every member, when he speaks, shall address the chair, standing in his place, and, when he has finished, shall sit down.

4. No member shall speak more than twice, in any one debate, on the same day, without leave of the Council.

5. When two members rise at the same time, the President shall name the person to speak; but in all cases the member who shall first rise and address the chair shall speak first.

6. When a member shall be called to order by the President, or Councilman, he shall sit down; and every question out of order shall be decided by the President, without debate, subject to an appeal to the Council, and the President may call for the sense of the Council on any question of order.

7. If the member be called to order by a Councilman for words spoken, the exceptionable words shall immediately be taken down in writting, that the President may be better enabled to judge of the matter.

8. No member shall absent himself from the service of the Council, without leave of the Council first obtained. And in case a less number than a quorum of the Council shall convene, they are hereby authorized to send the Sergeant-at-Arms, or any other person or persons by them authorized, for any or all absent members, as the majority of such members present shall agree, at the expense of such absent members, respectively, unless such excuse for non-attendance shall be made as the Council, when a quorum is convened, shall judge sufficient; and, in that case, the expense shall be paid out of the contingent fund. And this rule shall apply as well to the first convention of the Council at the legal time of meeting, as to each day of the session, after the hour has arrived to which the Council stood adjourned.

9. No motion shall be debated until the same shall be seconded.

10. When a motion shall be made and seconded, it shall be reduced to writing, if desired by the President, or any member, delivered in at the table, and read, before the same shall be debated.

11. When a question is under debate, no motion shall be received but to adjourn, for the previous question, to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit or amend, which several motions shall have precedence in the order they stand arranged.

A motion to adjourn shall be always in order; that and the motion to lay on the table, shall be decided without debate.

The previous question shall be in this form: "Shall the main question be now put?" It shall be admitted only when demanded by a majority of the members present. After the call for the previous question has been supported by any member of the Council, no debate shall be had, nor question of order entertained, nor amendment proposed, until the previous question shall be disposed of.

12. If the question in debate contain several points, any member may have the same divided; but on a motion to strike out and insert, it shall

not be in order to move for a division of the question; but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition; nor prevent a subsequent motion, simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

13. In filling up blanks, the largest sum and longest time shall be first put.

14. When the reading of a paper is called for, and the same is objected to by any member, it shall be determed by a vote of the Council, and without debate.

15. The unfinished business in which the Council was engaged at the last preceding adjournment, shall have the preference in the special orders of the day.

16. When the yeas and nays shall be called for by three of the members present, each member called upon shall, unless for special reason he be excused by the Council, declare openly and without debate, his assent or dissent to the question. In taking the yeas and nays, and upon the call of the House, the names of the members shall be taken alphabetically.

17. When the yeas and nays shall be taken upon any question in pursuance of the above rule, no member shall be permitted, under any circumstances whatever, to vote after the decision is announced from the chair.

18. On a motion made and seconded to shut the doors of the Council, on the discussion of any business which may, in the opinion of a member, require secresy, the President shall direct the gallery to be cleared; and during the discussion of such motion, the doors shall remain shut.

19. No motion shall be deemed in order, to admit any person or persons whatsoever within the doors of the Council chamber to present any petition, memorial, or address, or to hear any such read.

20. When a question has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after a bill, resolution, message, report, amendment, or motion upon which the vote was taken, shall have gone out of the possession of the Council, announcing their decision; nor shall any motion for reconsideration be in order, unless made on the same day on which the vote was taken, or within the next two days of actual session of the Council thereafter.

21. The President of the Council or President pro tempore shall have the right to name a member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment.

22. After the journal is read, the following order will govern:

1. Petitions and Memorials to be presented.
2. Resolutions.
3. Reports of Committees.
4. Bills, Resolutions, and Communications on the President's table.
5. Bills and Resolutions ready for a second reading.
6. Bills and Resolutions on their passage.
7. Reports in possession of the Council, which offer grounds for a bill.
8. Bills or other matters before the Council, unfinished the preceding day.
9. The above business being dispatched, the general file of bills and other papers will be then taken up, agreeably to their first introduction into the Council.

23. One day's notice, at least, shall be given of an intended motion for leave to bring in a bill; and all bills reported by a committee, shall, after the first reading, be printed for the use of the Council: but no other paper

or document shall be printed for the use of the Council, without special order.

24. Every bill shall receive three readings previous to its being passed: and the President shall give notice at each whether it be the first, second, or third; which readings shall be on three different days, unless the Council unanimously direct otherwise. And all resolutions to which the approbation and signature of the Governor may be requisite, or which may grant money out of the contingent or any other fund, shall be treated, in all respects, in the introduction and form of proceedings on them, in the Council, in a similar manner with bills; and all other resolutions shall lie on the table one day for consideration, and also reports of committees.

25. No bill shall be committed or amended until it shall have been twice read, after which it may be referred to a committee.

26. All committees shall be appointed by the Chair, unless otherwise directed by the Council.

27. The final question, upon the second reading of every bill, resolution, or motion originating in the Council, and requiring three readings previous to being passed, shall be, "Whether it shall be engrossed and read a third time?" and no amendment shall be received for discussion at the third reading of any bill, resolution or motion, unless by unanimous consent of the members present; but it shall at all times be in order before the final passage of any such bill, resolution, or motion, to move its commitment; and should such commitment take place, and any amendment be reported by the committee, the said bill, resolution, or motion, shall be again read a second time, and considered in committee of the whole, and then the aforesaid question shall be again put.

28. The titles of bills, and such parts thereof only as shall be affected by proposed amendments, shall be inserted on the journals.

29. The following Standing Committees, to consist of three members each, shall be appointed at the commencement of each session:

On the Judiciary.
" Finance, Ways and Means.
" Territorial Affairs.
" Schools and Seminaries of Learning.
" Military Affairs and Militia.
" Highways, and Bridges.
" Expenditures and Claims.
" Incorporations.
" Territorial Library.
" Public Buildings.
" Privileges and Elections.
" Counties and County Seats.
" Printing.

Also, a committee of two Members on Enrollments
" " " " Agriculture and Manufacturing.

30. When motions are made for reference of the same subject to a select committee, and to a standing committee, the question on reference to the standing committee shall be first put.

31. When nominations shall be made in writing by the Governor to the Council, a future day shall be assigned, unless the Council unanimously direct otherwise, for taking them into consideration. When the Council shall be convened by the Governor of the Territory to any other place, the President of the Council and Councillors shall attend at the place appointed. The Secretary of the Council shall also attend to take the minutes of the Council.

32. All confidential communications, made by the Governor to the Council, shall be by the members thereof kept secret. All information or remarks, touching or concerning the character or qualifications of any person, nominated by the Governor to office, shall be kept secret. When acting on confidential or executive business, the Council shall be cleared of all persons except the Chief Clerk, Sergeant-at-Arms and Door Keeper. The legislative proceedings, the executive proceedings, and the confidential legislative proceedings, of the Council, shall be kept in separate and distinct books.

33. When any question may have been decided by the Council, in which two-thirds of the members present are necessary to carry the affirmative, any member who votes on that side which prevailed in the question may be at liberty to move for a reconsideration: and a motion for reconsideration shall be decided by a majority of votes.

34. Messages shall be sent to the House of Representatives by the Secretary, who shall previously endorse the final determination of the Council thereon.

35. Messengers are introduced in any state of business, except while a question is being put, while the yeas and nays are being called, or while the ballots are being counted.

36. The presiding officer of the Council shall have the regulation of such parts of the Capitol and of its passages, as are or may be set apart for the use of the Council and its officers.

37. The rules of the Council shall be observed in the committee of the whole, so far as they may be applicable, except limiting the time of speaking and except the ayes and nays shall not be taken.

Which, on motion of Mr. Goodwill, was accepted.

On motion of Mr. Goodell,

That part of the report relating to the standing committees was adopted.

On motion of Mr. Goodwill,

Resolved, That the chief clerk be required to procure the printing of 50 copies of the report of the committee on rules for the use of the Council.

On motion the Council adjourned till to-morrow morning 10 o'clock.

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WEDNESDAY, JANUARY 24th, 1855.

MORNING SESSION.

The Chair having appointed Messrs. Goodwill and Bradford a committee on postage to confer with the House committee on that subject.

Mr. Nuckolls presented the petition of Mr. Corfield for a charter for a ferry at Rock Bluffs, which on his motion was

Referred to the committee on Highways and Bridges.

Mr. Rogers offered the following resolution, which was,

On motion of Mr. Folsom,

Referred to the committee on Elections.

Resolved, That the committee on Privileges and Elections be instructed to inquire into the right of James C. Mitchell to hold a seat in this Council, on the following grounds, to wit: That he is not now, and never has been a citizen of Nebraska, that he is a citizen of Iowa, that he did not receive the largest number of legal votes.

Mr. Folsom presented a resolution and memorial relating to the seat of Hiram P. Bennett on this floor, and moved its reference to the committee on Elections.

The ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Mitchell, Richardson, Rogers, Sharp—9.

Nays—Messrs. Bradford, Cowles, Nuckolls—3.

The resolution and memorial were so referred.

Mr. Bradford offered the following:

*Resolved,* That —— Folsom holding a seat for Burt county, O. D. Richardson holding a seat for Douglas county, and Joseph L. Sharp holding a seat for Richardson county, are not residents of the Territory of Nebraska within the meaning of the Nebraska bill which is our Organic Law, and are therefore not qualified to hold seats in this House.

On motion of Mr. Cowles,

The resolution was referred to the committee on Elections.

Mr. Brown presented a Joint Resolution and Memorial asking for mail routes therein named.

On his motion the rules were suspended and the resolution and memorial passed to a second reading, when,

On motion of Mr. Folsom,

They were referred to the committee on Territorial Affairs.

Mr. Mitchell offered the following resolution, which

On motion of Mr. Clark,

Was referred to the committee on Elections.

*Resolved,* That T. G. Goodwill being a citizen and resident of the State of New York is not, nor cannot be eligible to a seat in this Council.

Mr. Goodwill offered the following:

Resolved, That the committee on Privileges and Elections be instructed to inquire into the right of LaFayette Nuckolls to hold a seat in this Council on account of his minority: which,

On his motion, was referred to the committee on Privileges and Elections.

On motion of Mr. Clark,

Resolved, That Frank Welch be admitted within the bar of this Council as reporter for the Council Bluffs Bugle.

Mr. Nuckolls moved to take up the joint resolution and memorial relating to the Missouri river and Platte valley railroad company.

Mr. Richardson moved to lay the motion on the table, on which

The ayes and nays being demanded the result was as follows:

Ayes—Messrs. Clark, Folsom, Goodwill, Jones, Richardson, Rogers—6.

Nays—Messrs. Bradford, Brown, Cowles, Nuckolls, Mitchell, Sharp—6.

The question being again put, the memorial and resolution were taken up, and,

On motion of Mr. Nuckolls, passed to a second reading.

On motion of Mr. Folsom,

They were referred to the committee on Incorporations.

Mr. Richardson presented the memorial of William McClennan asking for a charter for a ferry at Nebraska City, Iowa.

On his motion, it was referred to the committee on Incorporations.

Mr. Cowles offered the following:

Resolved, That we have, in our individual and legislative capacity, a right to inquire into the acts of our public officers.

Mr. Richardson moved to lay the resolution upon the table.

The ayes and nays being demanded, the result was as follows:

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers, Sharp—8.

Nays—Messrs. Bradford, Cowles, Mitchell, Nuckolls—4.

So it was laid on the table.

Mr. Bradford offered the following:

Resolved, That the acts of T. B. Cuming as Acting Governor of Nebraska, in all matters touching taking the census, districting the Territory, and ordering the elections, and afterwards granting certificates to members of this House, are proper subjects of investigation by this House, by committee empowered to send for persons and papers, or otherwise as shall seem fit.

Mr. Goodwill moved to lay the resolution on the table.

The ayes and nays being demanded the result was as follows:

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers, Sharp—8.

Nays—Messrs. Bradford, Cowles, Mitchell, Nuckolls—4.

So the resolution was laid on the table.

Mr. Brown presented a bill for an act establishing the county of Forney and locating the seat of justice thereof, which,

On motion of Mr. Richardson,

Was read a second time and referred to the committee on Counties and County Seats.

Mr. Rogers introduced a bill to incorporate the Platte River Bridge Company.

On motion of Mr. Clark,

The rules were suspended, the bill read a second time, and,

Referred to the committee on Incorporations.

On motion of Mr. Rogers,

The bill to establish the county seat of Richardson county was taken up and read a second time.

On motion of Mr. Richardson,

Referred to the committee on Counties and County Seats.

Mr. Clark, on leave, introduced a bill for an act to establish a ferry across the Elkhorn river extending from the mouth of Bells creek to Logans creek, which,

On his motion, was referred to the committee on Incorporations.

Mr. Rogers moved that the joint resolution on Popular Sovereignty be taken up and referred to the Select Committee.

On a division the resolution was so referred.

The President appointed Messrs. Rogers, Bradford and Goodwill as the committee.

Mr. Jones moved to take up the petition relative to the county boundaries and county seat Dakota, and that it be referred to the committee on Counties and County Seats.

It was so taken up and referred.

On motion of Mr. Clark,

All resolutions and papers referring to the Elections hitherto introduced were now taken up and referred to the committee on Elections.

Mr. Cowles gave notice that he would on to-morrow or some future day introduce a bill to define the boundaries and locate the seat of justice of Pierce county.

Mr. Goodwill gave notice of a bill for an act regulating the sale of intoxicating drinks within the Territory; also,

Of a bill for an act to prevent gaming and disorderly houses.

Mr. Bradford's resolution asking the Governor to furnish the instructions given census takers was now taken up, and,

On his motion, referred to the committee on Elections; also,

His resolution calling on the Governor for the original census returns, together with any modifications thereof, which was also

Referred to the committee on Elections.

Mr. Bradford's resolution asking the President to appoint the committee on Elections was also taken up, and,

On motion of Mr. Folsom, laid upon the table; also,

His resolution asking for a committee of three to inquire into the manner of taking the census, the legality thereof &c.

Mr. Richardson gave notice of a bill to incorporate the Omaha, Platte river and Pacific Railroad Company.

Mr. Nuckolls gave notice of a bill to define the boundaries and locate the seat of justice of Cass county.

On motion of Mr. Richardson,

Resolved, That so much of the Governor's Message as relates to memorializing Congress upon the subjects of a Pacific Railroad, to the protection of emigrants and promotion of settlements along the route through Nebraska, Utah, California and Oregon, the promotion of amicable relations with the Indians and facilitating intercourse across the American continent &c., be referred to the committee on Territorial Affairs.

The President announced the Standing Committees as follows:

Judiciary—Messrs. Richardson, Rogers, Bennett.

Finance, Ways and Means—Messrs. Folsom, Jones, Nuckolls.

Territorial Affairs—Messrs. Michell, Bradford, Goodwill.

Schools and Seminaries of Learning—Messrs, Rogers, Cowles, Folsom.

Militia and Military Affairs—Messrs. Bradford, Jones, Clark.

Highways and Bridges—Messrs. Cowles, Folsom, Mitchell.

Expenditures and Claims—Messrs. Folsom, Nuckolls, Richardson.

Incorporations—Messrs. Clark, Folsom, Nuckolls.

Territorial Library—Messrs. Rogers, Richardson, Mitchell.

Public Buildings—Messrs. Goodwill, Rogers, Nuckolls.

Privileges and Elections—Messrs. Goodwill, Jones, Cowles.

Counties, County Seats and Townships—Messrs. Jones, Brown, Folsom,

Printing—Messrs. Brown, Bradford, Rogers.

Enrollments—Messrs. Mitchell and Bennett.

Agriculture and Manufactures—Messrs. Goodwill and Bradford.

On motion of Mr. Clark,

Fifty copies of the list of standing committees were ordered to be printed with the rules.

On motion, the Council adjourned till 2 o'clock P. M.

AFTERNOON SESSION.

Mr. Howard appeared and took the oath of office as Fireman of the Council.

Message from the House,

Mr. President:—I herewith lay before you a joint resolution passed the House this morning. J. W. PADDOCK, Chief Clerk.

On motion of Mr. Clark.

*Resolved*, That the Sergeant-at-arms prepare seats to supply the lobby.

Mr. Richardson introduced a bill to locate the seat of Government of the Territory of Nebraska, which was read a first time, and,

On his motion, passed to a second reading.

Mr. Nuckolls moved to amend the bill by inserting "Plattsmouth, Cass county," on which,

The ayes and nays being demanded, the amendment was agreed to by the following vote:

Ayes—Messrs. Bennett, Bradford, Brown, Cowles, Nuckolls, Mitchell, Sharp—7.

Nays—Messrs. Clark, Folsom, Goodwill, Jones, Richardson, Rogers—6.

Mr. Bradford moved a suspension of the rules, and that the bill be read a third time, which being objected to, the motion was lost.

Mr. Mitchell moved the reading of the statement of B. Y. Shelly, which was agreed to, when,

On motion of Mr. Folsom,

It was referred to the committee on Elections.

On motion of Mr. Clark,

All papers relating to the claims of B. Y. Shelly of Burt county were taken up and referred to the committee on Elections.

The joint resolution from the House on the subject of Popular Sovereignty was taken up, and,

On motion of Mr. Jones,

Referred to the select committee on that subject.

On motion of Mr. Richardson,

The Council will hereafter have but one session a day, and that when it adjourns it be till ten o'clock in the morning.

Mr. Clark introduced a bill for an act to establish a ferry at Iron Bluffs, across the Elkhorn river, which was read a first time.

On motion of Mr. Goodwill,

The rules were suspended, the bill passed to a second reading, and was

Referred to the committee on Incorporations.

Mr. Mitchell introduced the following :

*Resolved*, That all the acts and doings of a public nature of the Governor, Secretary, Marshall and Deputy Marshalls of this Territory are proper subjects of investigation, and that the people of this Territory have a right to inquire into said acts and doings through their representatives in this Council.

Mr. Rogers moved to refer the resolution to the committee on Elections.

On which question the ayes and nays being demanded, the result was as follows :

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers, Sharp—8.

Nays—Messrs. Bennett, Bradford, Cowles, Nuckolls, Mitchell—5.

It was so referred.

On motion, the Council adjourned till to-morrow morning 10 o'clock.

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THURSDAY MORNING, JANUARY 25th, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Mr. Mitchell presented the petition of H. P. Downs and others praying for a charter for a ferry across the Missouri river at Nebraska city, which

On his motion, was referred to the committee on Incorporations.

Mr. Richardson offered the following :

*Resolved*, That the bill to locate the seat of government be referred to the committee on public buildings.

Mr. Clark moved to amend the resolution by instructing the committee to strike out 'Platttsmouth' and insert Bellevue,

On which question the ayes and nays were ordered, and the result wes as follows :

Ayes—Messrs. Clark, Goodwill, Richardson, Rogers—4.

Nays—Messrs. Bennet, Bradford, Brown, Cowles, Folsom, Jones, Nuckolls, Mitchell, Sharp—9.

So the amendment was lost.

Mr. Richardson moved to refer the resolution to the committee on public buildings.

Mr. Nuckolls proposed to amend the motion by referring it to the committee on territorial affairs.

On which question the ayes and nays were ordered, and resulted as follows:

Ayes—Mess. Bennet, Bradford, Cowles, Nuckolls, Mitchell—5.

Nays—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers, Sharp—8.

So the amendment was lost.

The question recurring on the resolution, the ayes and nays being demanded, the result was as follows:

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers, Sharp—8.

Nays—Messrs. Bennet, Bradford, Cowles, Nuckolls, Mitchell—5.

The bill was so referred.

Mr. Bennett gave notice of a bill to Incorporate Nebraska city, with power to grant ferry licenses within the limits of said city.

Also, of a bill to grant a charter for a ferry or bridge at the 'old Mormom crossing' on the Elk Horn river, to Jonathan Shinn and his associates.

On motion of Mr. Goodwill,

*Resolved,* That no person excect members of the House of Representatives, their Secretary and Chaplains and such other persons as are already or such as the Council may hereafter deem proper to admit, shall be admitted within the bar of the Hall of the Council.

Mr. Clark, on leave, introduced a bill for an act to establish a ferry across the Loupe Fork on the Elk Horn river.

On his motion, the bill was read a second time, and referred to the committee on Incorporations.

Mr. Clark also introduced a bill for an act to establish a ferry or toll bridge on the Elk Horn river.

Mr. Jones moved the bill to a second reading, when

On motion of Mr. Clark, was referred to the committee on Incorporations.

On motion of Mr. Rogers, the bill to incorporate the Missouri river and Platte Valley Railroad was taken up and referred to the committee on Incorporations.

On motion of Mr. Clark, the bill to incorporate the Platte Valley Railroad Company was taken up, read a second time and referred to the committee on Incorporations.

Also, the bill for an act to incorporate the Nebraska Colonization company.

Also, the bill to incorporate the New England land company.

Mr. Brown, on leave, introduced a bill to incorporate the Brownville ferry company,

Which, on his motion, passed to a second reading and was referred to the committee on Incorporations.

On motion of Mr. Folsom,

*Resolved,* That the members of the House of Representatives be, and they are hereby invited to take seats at pleasure within the bar of the Council, and that the clerk be directed to deliver a copy of this resolution to the Speaker of the House of Representatives,

Mr. Mitchell, on leave, introduced a bill to incorporate the Florence Bridge Company, which,

On motion, passed to a second reading and was referred to the committee on Incorporations.

On motion of Mr. Bennet,

*Resolved*, That the Chief Clerk be instructed to provide for each member of the Council fifteen copies of such newspaper or newspapers as the members respectively shall designate during the the session, providing such papers are published in Nebraska.

Mr. Folsom moved that the resolution be laid upon the table, and made the special order for to-morrow,

On which question a division being called, the motion was lost.

Mr. Clark offered the following resolution, which

On motion of Mr. Bennet, was laid upon the table :

*Resolved*, That Rev. W. Hamilton, of the Ottoe and Omaha mission, be invited to officiate as chaplain of the Council of the Territory of Nebraska, during the session.

Mr. Clark moved that the Council adjourn till to-morrow morning, 10 o'clock,

On which question a division was called and the Council adjourned.

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FRIDAY MORNING, JAN. 26th, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Mr. Rogers gave notice of a bill for an act to establish a common school system.

Mr. Clark gave notice of a joint resolution to appoint three commissioners to compile and draft a code of laws for this Territory—to report the same at the next session of this Legislature, or at an early day.

Also, of a bill to locate the Capitol of this Territory at Nebraska Center.

Also, of a bill for an act to protect settlers and claimants on government lands in the Territory.

Also, of a bill to define the boundaries of Douglass county and to locate the seat of justice thereof.

Mr. Sharp gave notice of a bill for an act to legalize the official acts of certain officers therein named.

Also, of a bill for an act to establish the Nemaha Hydraulic and Milling Company.

Mr. Bennet gave notice of a bill prohibiting the sale of intoxicating liquors and gaming in this Territory.

Mr. Richardson gave notice of a bill to incorporate the Council Bluffs and Nebraska ferry company.

Mr. Jones gave notice of a bill for an act respecting stock and fencing.

Also, of a bill for an act to prevent tresspass upon claims, and to define the extent thereof.

Also, of a bill for an act to define the boundaries of counties herein named, and to establish the seats of justice thereof.

Mr. Richardson offered the following:

*Resolved*, That the standing committee on printing be instructed to inquire into the expediency of electing a public printer, and that the report of the joint committee heretofore made on the subject of printing be referred to said standing committee to report by bill or otherwise.

Mr. Bennett moved to lay the resolution on the table.

The ayes and nays were ordered and resulted as follows :

Ayes—Messrs. Bennet, Bradford, Cowles, Nuckolls, Mitchell—5.

Nays—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers, Sharp—8.

So the motion was lost.

The question recurring on the adoption of the resolution, a division was called and the resolution adopted.

Mr. Jones, on leave, introduced a bill regulating the sale of town lots, which

On his motion, passed to a second reading and was referred to the committee on counties and county seats.

On motion of Mr. Rogers, the bill for an act to incorporate the Plattsmouth ferry company was taken up, read a second time, and referred to the committee on Incorporations.

Mr. Sharp introduced the following preamable and joint resolution :

WHEREAS, The preservation of the public liberty and the perpetuity of our free, happy form of government are dependent upon the virtue and intelligence of the masses of the freeholders of the country, and

WHEREAS, A great number of the able bodied inhabitants of the United States are destitute of a permanent home and of sufficient ready means to procure a suitable quantity of land upon which to obtain a certain livelihood for themselves and families, and

WHEREAS, The best policy of the national government is to afford every suitable encouragement for the early settlement and cultivation of her extensive domain, thereby to encourage the industry and promote the comfort of the landless within her borders, bettering the condition of her citizens and improvements of their country ; therefore,

*Resolved,* By the Council and House of Represetatives, That our Delegate in Congress be requested to use his best efforts to procure the passage of the Homestead law similar to those provided for the territories of Oregon and New Mexico.

*Resolved,* That the Governor be requested to cause to be forwarded to our Delegate in Congress, a copy of the foregoing preamble and resolutions.

On motion, the rules were suspended, and the preamble and resolutions passed to a second reading.

On motion of Mr. Clark,

*Resolved,* That so much of the Governor's message as refers to the late Governor Burt, be referred to the committee on Territorial affairs.

That so much thereof as refers to the enactment of laws and the judiciary of the territory be referred to the committee on the Judiciary.

That so much thereof as refers to commerce, manufactures and agriculture, be referred to the committee on Agriculture and Manufactures.

That so much thereof as refers to minerals, be referred to the committee on Territorial Library.

That so much as refers to education, be referred to the committee on Schools and Seminaries of Learning.

That so much thereof as refers to popular sovereignty. be referred to the committee on the Judiciary.

Mr. Jones, on leave, presented the petitisn of J. D. M. Crockwell and seventeen others, praying for a road from Dakota to Ft. Kearney.

Also the petition of S. F. Watts and twenty others, praying for a road from Dakota to the Sand Buttes, which

On his motion, were referred to the committee on Highways and Bridges.

Mr. Jones also presented the petition of S. F. Watts and fourteen others, praying for a ferry at Dakota.

Referred to the committee on Incorporations.

Mr. Mitchell moved that when the Council adjourn it be till Tuesday morning, 10 o'clock.

On which question a division being called, the motion was lost.

Mr. Folsom moved that the Council adjourn till to-morrow morning 10 o'clock A. M—Lost.

On motion of Mr. Mitchell, the Council adjourned till Monday morning, 10 o'clock.

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MONDAY, JANUARY 29th, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Message from the House:

MR. PRESIDENT—I have to inform you that the House has passed the following bill, H. F. No 3, an act to locate the seat of government.

J. W. PADDOCK, Chief Clerk.

Mr. Clark gave notice of a bill to incorporate the Grand Island bridge company.

Also, of a bill to authorize Peter A. Sarpy, his heirs and assigns to establish a ferry across the Missouri river, with exclusive privileges of ferry and river from the south line of the Otoe and Omaha Mission Reserve to the mouth of the Platte river.

Also, of a bill to incorporate the Council Bluffs ferry company.

Mr. Rogers gave notice of a bill for an act declaring what laws shall be in force.

Also, of a bill for an act regulating the interest of money in the Territory of Nebraska.

Mr. Bradford, from the committee on military affairs, to whom was referred so much of the governor's message as relates to protection from Indians, submitted a report and joint resolution.

On motion of Mr. Clark,

The rules were suspended and the resolution passed to a second reading.

The joint resolution and preamble relating to the Homestead bill was now taken up, and on motion, read a third time and passed.

Mr. Nuckolls moved a call of the House, which was had, Mr. Bennet absent, when,

On his motion, the Sergeant-at-Arms was dispatched for the absent member.

Mr. Richardson moved that all further proceedings under the call be dispensed with. Lost.

Mr. Richardson moved that the bill to locate the seat of government be taken up and read a second time.

Which was agreed to.

Mr. Mitchell offered an amendment by striking out Omaha City, Douglas county, and inserting "Plattsmouth, Cass county."

Mr. Richardson moved to refer the bill to the committee of the whole, and that it be made the special order for to-morrow, as a substitute for the amendment. On which question

The ayes and nays being ordered, the result was as follows:

Ayes—Messrs. Clark, Folsom, Goodwil, Jones, Richardson and Rogers—6.

Nays—Messrs. Bennet, Bradford, Brown, Cowles, Nuckolls, Mitchell and Sharp—7.

So the substitute was lost.

Mr. Richardson moved to refer the bill to the committee of the whole, offering this as a substitute for the amendment.

The ayes and nays were ordered and the result was as follows:

Ayes—Messrs. Clark, Folsom, Goodwill, Jones, Richardson, Rogers and Sharp—7.

Nays—Messrs. Bennet, Bradford, Brown, Cowles, Nuckolls and Mitchell—6.

So the substitute was adopted.

Mr. Richardson moved that the consideration of the bill be postponed till Wednesday. On which question

The ayes and nays were ordered, with the following result:

Ayes—Messrs. Clark, Folsom, Goodwill, Jones, Richardson, Rogers and Sharp.—7.

Nays—Messrs. Bennet, Bradford, Brown, Cowles, Nuckolls and Mitchell—6.

Mr. Richardson moved to take up the report of the committee on rules.

On motion of Mr. Bennet the consideration of the report was postponed until to-morrow.

On motion of Mr. Clark,

The Council adjourned.

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TUESDAY, JANUARY 30, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Mr. Godwill from the select committee, to whom was referred the joint resolution from the House, (H. F. No. 1,) reported back the same recommending its passage.

Mr. Clark from the committee on Incorporations, reported back the following bills recommending their passage.

C. F. No. 6, A bill for an act to incorporate the New England Land and Emigration Company.

Also, a bill (C. F. No. 12,) for an act to establish a ferry across Loup Fork.

Also, a bill (C. F. No. 13,) for an act to establish a ferry or toll bridge on the Elk Horn river.

Mr. Bradford from the select committee, to whom was referred the joint resolution relating to popular sovereignty submitted the following minority:

TO THE HONORABLE COUNCIL:—The minority of the committee to whom was referred the joint resolution of the House, approving the doctrine of popular sovereignty, the Nebraska bill, the repeal of the Missouri Compromise, and the course pursued by the persons most active in procuring its passage with its present features, beg leave to dissent from the views of the majority of said committee, and to present the following report:

While your committee believes in popular sovereignty and in the indisputable right of the people to make such laws and establish such a government and such institutions as they please, and in so much as said resolution sustains such doctrine, agrees to it fully and completely.

The Missouri compromise in connexion with the other measures, known as the compromise measures of 1850, were a solemn compact between the North and South, as a final settlement of the vexed question of slavery which had been acquiesced in by all parties, and had the effect of allaying sectional feeling throughout our country. Both of the great political parties, Whig and Democrat, as represented at their conventions held at Baltimore and Philadelphia, in 1852, fully endorsed the eompromise measures as above, and adopted them as a

part of their political platforms, and deprecated all who should further agitate the subject of slavery either in Congress or out of it.

In view of all these circumstances, if the Missouri compromise had been abrogated by the mutual consent of all parties in good faith and good feeling, as removing an odious geographical line, no one would have more rejoiced at it than your committee. But forced as it was by the South upon the North, in defiance of the most solemn pledges, and the effect of which has been to arouse with tenfold fury all sectional prejudices and all bitter feeling on the subject of slavery, and to shake our Union to the centre, and give it the severest blow it it has ever received. Your committee is of opinion that it was neither wisely, honorably nor justly done. Your committee is also of opinion that the acts of the principal agents in procuring the repeal instead of being applauded for their course, deserve the execration of every lover of his country, and of every honest man. Neither does your committee believe that the repeal of the Missouri Compromise adds anything to popular sovereignty, as by that act slavery already exists in this Territory, which this Legislature has no authority to legislate out until the Territory becomes a State.

For these reasons your committee is of opinion that the aforesaid resolution ought not to pass your honorable body.

HENRY BRADFORD.

Mr. Jones, on leave introduced a bill for an act to prevent tresspass upon claims on the public lands, and to define the extent of the right of possession thereon, which

On his motion, passed to a second reading, and was referred to the committee on the Judiciary.

Mr. Clark, on leave introduced a bill for an act to authorize Peter A. Sarpy, his heirs and assigns, to establish a ferry across the Missouri river at Bellevue, which,

On motion of Mr. Jones, passed to a second reading, and was

Referred to the committee on Corporations.

Mr. Clark also introduced a bill to authorize M. H. Clark, his heirs and assigns to establish and keep a ferry across the Missouri river at Bellevue, which

On motion of Mr. Jones, was read a second time, and

Referred to the committee on Incorporations.

Mr. Sharp introduced a bill for an act to legalize the acts of certain officers therein mentioned.

On motion of Mr. Clark, the bill was passed to a second reading and referred to the committee on the Judiciary.

Mr. Jones gave notice of a bill for an act to authorize J. D. M. Crockwell and Clark, to keep a ferry across the Missouri river.

The report of the committee on permanent rules being now taken up, was amended and adopted, when,

On motion of Mr. Folsom,

The Council adjourned till 2 o'clock P. M.

AFTERNOON SESSION.

Mr. Clark moved to take up the report of the committee on military affairs, to whom was referred so much of the Governor's message as relates to protection from Indians, (C. F. No. 4.)

On his motion, said bill was ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Clark,

C. F. No. 6, Substitute a bill for an act to incorporate the New Eegland Land and Emigration Company was taken up up, and

On motion of Mr. Rogers, passed to a second reading, and was ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Clark,

C. F. No. 12 was taken up, a bill for an act to authorize D. C. Oakes, his heirs and assigns, to keep a ferry across the Loupe Fork, and was ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Clark,

C. F. No. 13. was taken up, an act to establish a ferry on the Elk Horn river, and was ordered to be engrossed and read a third time to-morrow.

Mr. Nuckolls offered the following:

*Resolved*, That the committee on Privileges and Elections, be instructed to report to-morrow morning the cases of Shelly, Folsom, Sharp, Bennet, Richardson, Mitchell and Nuckolls, which were referred to it.

Mr. Goodwill moved to amend by striking out the names and inserting "all matters referred to them relating to contested seats in this body, and all evidence in their possession relating to the same," which amendment was agreed to.

The question recurring on the original resolution, it was adopted.

Mr. Richardson moved to reconsider the vote by which the consideration of the bill to locate the Seat of Government, was postponed till Wednesday.

Mr. Bennet moved to lay the motion on the table,

On which question the ayes and nays being demanded, were ordered, with the following result:

Ayes—Bennet, Bradford, Brown, Cowles, Nuckolls, Sharp—6.

Nays—Messrs. Clark, Folsom, Goodwill, Jones, Mitchell, Richardson, Rogers—7.

So the motion was lost.

The question recurring on the motion to reconsider, the ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Clark, Folsom, Goodwill, Jones, Mitchell, Richardson, Rogers—7.

Nays—Messrs. Bennet, Bradford, Brown, Cowles, Nuckolls, Sharp—6.

So the motion was agreed to.

Mr. Richardson moved to reconsider the reference of the bill to the committee on the Whole, which was agreed to.

Mr. Mitchell asked and obtained leave to withdraw his amendment to the bill, to strike out "Omaha city" and insert "Plattsmouth."

Mr. Richardson asked leave to withdraw the motion by which the bill was referred to the committee of the Whole,

On which question a division was called, and leave granted.

Mr. Mitchell moved to amend the bill by inserting after the word "county," "at a point on the north line of the Clancy (sulphur spring) claim, adjoining the claim owned by Thomas Jeffries."

Mr. Richardson, on leave gave notice that on some future day he would introduce a joint resolution to appoint James C. Mitchell sole commissioner to locate the Capitol Buildings of the Territory of Nebraska.

The President decided the notice to be out of order.

Mr. Folsom appealed from the decision.

On the question of appeal, the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bennett, Bradford, Brown, Cowles, Nuckolls—5.

Nays—Messrs. Clark, Folsom, Goodwill, Jones, Mitchell, Richardson, Rogers—7.

So the decision of the President was not sustained.

Mr. Mitchell withdrew his amendment to the bill.

Mr. Richardson, moved that the bill to locate the seat of Government, be now read a third time.

On which question the ayes and nays were ordered, and the result was as follows:

Ayes—Messrs. Clark, Folsom, Goodwill, Jones, Mitchell, Richardson, ers—7.

Nays—Messrs. Bennett, Bradford, Brown, Cowles, Nuckolls, Sharp—6.

Mr. Bennett moved to lay the bill upon the table,

On which question the ayes and nays were ordered, and resulted as follows.

Ayes—Messrs. Bennett, Bradford, Brown, Cowles. Nuckolls, Sharp—6.

Nays—Messrs. Clark, Folsom, Goodwill, Jones, Mitchell, Richardson, Rogers—7.

So the motion to lay on the table was lost.

Mr. Bennett moved to refer the bill to the committee of the Whole,

On which question the ayes and nays were ordered with the following result:

Ayes—Messrs. Bennett, Bradford Brown, Cowles, Nuckolls, Sharp—6.

Nays—Messrs. Clark, Folsom, Goodwill, Jones, Mitchell, Richardson, Rogers—7.

So the motion was lost.

Mr. Bennet moved to adjourn,

On which question the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bennnett, Bradford Brown, Cowles, Nuckolls, Sharp—6.

Nays—Messrs. Clark, Folsom, Goodwill, Jones, Mitchell, Richardson, Rogers—7.

So the motion was lost.

Mr. Richardson moved the previous question, when

Mr. Bennett arose to a point of order.

The President. Mr. Rogers in the Chair, decided the motion to be in order.

An appeal was had, aad the sense of the Council being taken,

The ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Clark, Folsom, Goodwill, Jones, Richardson, Rogers—6.

Nays—Messrs. Bennett, Bradford, Brown, Cowles, Nuckolls, Mitchell, Sharp—7.

So the decision was not sustained.

The question being taken on the passage of the bill,

The ayes and nays were ordered, and resulted as follows:

Ayes—*M*essrs. Clark, Folsom, Goodwill, Jones, *M*itchell, Richardson, Rogers—7.

Nays—*M*essrs. Bennett, Bradford, Brown, Cowles, Nuckolls, Sharp—6.

So the bill was passed.

*M*r. Sharp moved the following amendment to the title of the bill: "A bill for an act to appoint J. C. *M*itchell a commissioner to locate the Capitol of Nebraska Territory.

*M*r. Clark moved to lay the amendment on the table.

On which question the ayes and nays were ordered, and resulted as follows:

Ayes—*M*essrs. Clark, Folsom, Goodwill, Jones, *M*itchell, Richardson, Rogers—7.

Nays—*M*essrs. Bennett, Bradford, Brown, Cowles, Nuckolls, Sharp—6.

So the amendment was laid upon the table.

*M*r. Goodwill moved to reconsider the passage of the bill, and,

On his motion, the motion to reconsider was laid upon the table.

On motion of *M*r. Sharp, the Council adjourned.

WEDNESDAY, JANUARY 31, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Mr. Jones gave notice of a bill for an act to apportion the Representatives of the House for the next Legislative Assembly.

Also, of a bill for an act regulating elections.

Also, of a bill for an act to establish judicial districts, to define the boundaries thereof, and to assign the judges thereof respectively.

Mr. Cowles introduced a memorial to the Congress of the United States relating to Territorial roads.

Which, on his motion,

The rules being suspended, passed to a second reading by its title.

Referred, on motion of Mr. Jones, to the committee on Highways and Bridges.

Mr. Richardson introduced a joint resolution of which he had given previous notice, to appoint James C. Mitchell sole commissioner to locate the Capitol Building, in Omaha City, in Nebraska Territory.

Which, on his motion,

Passed to a second reading by its title.

Mr. Clark moved that the resolution be engrossed and read a third time.

Objected to.

Mr. Goodwill from the committee on privileges and elections asked leave for the committee to retire which was granted.

Mr. Nuckolls, on leave, introduced a bill of which previous notice had been given for an act to locate the seat of justice of Cass county.

Which, on his motion, the rules being suspended, passed to a second reading.

Mr. Richardson moved to refer the bill to the committee on counties and couty seats, and

It was so referred.

Mr. Jones introduced a bill of which he had given previous notice for an act to charter a ferry at Dakotah, which,

On motion of Mr. Clark,

The rules being suspended, passed to a second reading by its title, and was,

On motion of Mr. Richardson,

Referred to the committee on Incorporations.

Mr. Jones introduced a bill of which previous notice had been given, for an act to define the boundaries of counties therein named and other purposes.

Which on his motion, the rules being dispensed with, the bill was read a second time.

Mr. Bennet moved to refer the bill to the committee on Territorial Affairs.

On which question, a division being called, the motion was lost.

On motion of Mr. Richardson,

The bill was referred to the committee on counties and county seats.

Message from the Secretary of the Territory.

To the Council and House of Representatives of the General Assembly of Nebraska:

The undersigned respectfully represents to your honorable body that his special instructions from the Secretary of the U. S. Treasury requiring him to disregard in certain cases the acts of the Assembly in respect to appropriations—will prevent the allowance of compensation to any other than the following named officers in each House—viz: one chief clerk, one assistant clerk, one sergeant-at-arms, and one door-keeper.

Any extra expense to be incurred by either House will be audited and paid if deemed necessary, out of the territorial contingent fund.

Respectfully,

T. B. CUMING,

Secretary of Nebraska Territory.

Mr. Goodwill, from the committee on elections, on leave, submitted a report, which was accepted.

On motion of Mr. Richardson,

The further consideration of the report was postponed till to-morrow.

On motion the Council adjourned.

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THURSDAY, FEBRUARY 1, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Mr. Clark offered the following resolution.

*Resolved,* That the chief clerk is to subscribe for, and deliver to each member of this Council five copies of each of the papers published at Council Bluffs.

Mr. Rogers moved to amend by adding, "and one copy of the Congressional Globe and appendix, provided the same be defrayed out of the funds of the members.

Mr. Bennet moved to amend the amendment by including "the stationery upon our desks."

Mr. Cowles moved to lay the resolution and amendment upon the table.

On which question,

The ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Bradford, Brown, Cowles, Folsom, Goodwill, Jones and Sharp—7.

Nays—Messrs. Bennet, Clark, Nuckolls, Mitchell, Richardson and Rogers—6.

So they were laid upon the table.

Mr. Jones gave notice of a bill relating to unorganized counties.

On motion of Mr. Clark,

*Resolved,* That the clerk subscribe for five copies of such papers published in Council Bluffs city as the members of this House may desire, and one copy of the Congressional Globe and appendix to each member.

Mr. Cowles, from the committee on privileges and elections, presented a minority report.

Mr. Bennet, on leave, introduced a bill of which previous notice had been given for an act to incorporate Nebraska city.

On motion of Mr. Clark,

The rules were suspended and the bill passed to a second reading by its title.

Mr. Clark moved to refer the bill to the committee on the Judiciary.

Mr. Richardson moved to amend by referring it to the committee on Incorporations.

On which question a division was called and the amendment agreed to.

Mr. Folsom moved to take from the committee to whom it was referred, C. F. No 4, and that they be discharged from its further consideration.

Which motion was lost.

Mr. Richardson moved to take up C. F. No 5, the joint resolution rela-

ting to the appointment of James C. Mitchell a commissioner to locate the Capitol Buildings of the Territory, and that it be engrossed and read a third time. On which question,

The yeas and nays being called for were ordered, and resulted as follows:

Ayes—Messrs. Bennet, Bradford, Brown, Clark, Cowles, Folsom, Goodwill, Jones, Nuckolls, Richardson and Rogers—11.

Nays—Mr. President Sharp.

So the resolution was ordered to be engrossed and read a third time.

C. F. No 4, report of the committee on military affairs and joint resolution, was now taken up, and,

On motion of Mr. Bennet,

Its further consideration was postponed till to-morrow morning.

C. F. No 6, a bill for an act to incorporate the New England land emigration company was now taken up.

Mr. Goodwill moved to postpone the consideration of the bill till Saturday morning.

On which question a division was called and the motion was lost.

Mr. Folsom moved to amend the bill by striking out the name of B. R. Folsom.

Which was agreed to.

Mr. Richardson moved to amend by adding

"Sec. 11. The corporation hereby created shall not have or possess banking powers."

Mr. Folsom moved to postpone the further consideration of the bill till to-morrow morning, 10 o'clock.

Which was agreed to.

Mr. Mitchell from the committee on enrollment to which was referred the engrossed joint resolution (C. F. No 5.) reported back the same as correctly engrossed.

Mr. Folsom moved that the resolution be now passed.

On which question,

Mr. Mitchell asked and obtained leave to be excused from voting.

The ayes and nays being ordered the resolution was passed by the following vote.

Ayes—Messrs. Bennet, Bradford, Brown, Clark, Cowles, Folsom, Goodwill, Jones, Nuckolls, Richardson and Rogers—11.

Nays—Mr. Sharp—1.

C. F. No 13, was taken up, a bill for an act to authorize Jonathan Shinn his associates and assigns to keep a ferry across the Elkhorn river.

On motion of Mr. Mitchell,

Laid over till to-morrow.

C. F. No 12, was taken up, and,

On motion of Mr. Bradford,

The further consideration of the bill was postponed till to-morrow.

H. F. No 1, was now taken up, joint resolution relating to Popular Sovereignty.

Mr. Rogers moved that the resolution be now read a third time.

Mr. Bennet moved to pos pone the further consideration of the resolution till to-morrow morning.

On which question a division was called and the motion was lost.

The question on the third reading of the resolution being taken, the ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones Nuckolls, Richardson, Rogers and Sharp—9

Nays—Messrs. Bennet, Bradford, Cowles and Mitchell—4.

So the joint resolution was read a third time, passed, and title agreed to.

The majority report of the committee on privileges and elections was taken up,

Pending the consideration of which

On motion of Mr. Mitchell,

The Council adjourned.

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FRIDAY, FEBRUARY 2, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Mr. Jones, from the committee on counties and county seats and townships, reported back C. F. No 16, and recommended its passage.

Mr. Cowles from the committee on highways and bridges to whom was referred the memorial relating to a territorial road, reported the same back recommending its passage.

Mr. Clark from the committee to whom was referred C. F. No 4, the report and joint resolution of the committee on military affairs to whom was referred so much of the Governor's message as relates to protection from Indians, reported back the same recommending its passage.

Mr. Bennet, on leave, introduced C. F. No 25, of which previous notice had been given, a bill for an act to restrain sheep and swine from running at large, which,

On motion of Mr. Cowles,

Passed to a second reading, and was referred to the committee on agriculture and manufactures.

On motion of Mr. Mitchell,

C. F. No 5, memorial relating to territorial roads was taken up for immediate action.

Mr. Folsom moved to amend by inserting "Rock Bluffs," next previous to "Plattsmouth."

Which amendment was agreed to.

Mr. Bennet moved to amend by inserting "Mount Vernon or Wyoming."

Mr. Bradford moved to amend by striking out all the names except the initial point and Capital, and insert the county seats of the several counties along the river, in their order, on the most direct practicable route.

On which question a division was called and the amendment was lost.

Mr. Bennet moved to refer the memorial to a select committee.

Which was agreed to.

Mr. Bennet moved to make Mr. Richardson chairman of the committee.

On a division, the motion was lost.

Messrs. Bennet, Richardson and Mitchell were appointed such committee.

C. F. No 13, a bill for an act to establish and keep a ferry or toll bridge on the Elkhorn river, was taken up.

Mr. Goodwill moved that all bills on the third reading be made the special order for Thursday the 8th inst.

On which question a division was called and the motion agreed to.

C. F. No 5, was taken up, the majority and minority reports of the committee on privileges and elections, when

Mr. Goodwill presented a memorial asking that the majority committee have the privilege of making a supplementary report.

On motion of Mr. Rogers,

The reports and memorial were recommitted to the committee from which they were reported.

Message from the House:

MR. PRESIDENT—I have to inform you that the House has passed H. F. No 26, an act to define the boundaries and locate the seat of justice in Cass Co. Nebraska Territory, and agreed to the title.

J. W. PADDOCK, Chief Clerk,

On motion, the Council went into committee of the whole on the postal question.

After some time spent thereon,

The committee arose, and, by their chairman, reported progress.

On motion, H. F. No 26, an act to define the boundaries and locate the county seat of Cass county, Nebraska Territory, was taken up and read the first time.

On motion of Mr. Clark,

The Council adjourned till Monday morning, 10 o'clock.

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MONDAY, FEB. 5th, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Message from the Executive by Mr. Secretary Smith.

I herewith return C. F. No. 5, Joint resolution appointing James C. Mitchell Commissioner, the same having received the signature of the Governor.

Mr. Jones, from the committee on Counties and County Seats, to whom was referred, C. F. Nos. 1, 3, 7, 21, reported back C. F. No. 23 as a substitute, and recommended its passage.

Mr. Clark, from the committee on Incorporations, to whom was referred, C. F. Nos. 2, 4, 9, 11, 14, 18, 19, 22, reported back the same without amendment, and recommended their passage.

H. F. No. 26, A bill for an act to define the boundaries and locate the county seat of Cass county, Nebraska Territory, was taken up and read a second time.

Mr. Nuckolls moved to refer it to a select committee.

Mr. Folsom moved to amend by referring the bill to the committee on County Seats.

Message from the House.

Mr. PRESIDENT: I have to inform you that the House of Representatives has passed H. F. No. 16, An act relating to claims on public lands, in which it asks concurrence on the part of the Council.

The House has also passed without amendment, C. F. No. 1, Joint resolution relative to the style of the laws, also, C. F. No. 4, Preamble and joint resolution on the Homestead bill.

J. W. PADDOCK, Chief Clerk.

The question being taken on Mr. Folsom's amendment, a division was called and it was lost.

Mr. Clark moved to amend by instructing the committee to report to-morrow morning,

On which question a division was called and the amendment was lost.

The question recurring upon the motion to refer to a select committee, a division was called and the motion was agreed to.

Messrs. Nuckolls, Brown and Richardson, were appointed such committee.

H. F. No. 19, Joint resolution reques-ing the Governor to commission officers

to raise volunteers was taken up, and the rules being suspended, passed to a second reading.

Mr. Richardson moved to refer the resolution to the committee on Territorial Affairs.

Mr. Bennett moved to amend by instructing the committee to report to-morrow.

The question being taken on the amendment, it was adopted.

The question recurring on Mr. Richardson's motion to refer to the committee on Territorial Affairs.

The resolution was so referred.

Mr. Nuckolls, on leave offered the following resolution :

*Resolved,* That Rev. Mr. Gage be invited to take a seat within this bar, which was adopted.

Mr. Jones offered the following :

*Resolved,* That the Chief Clerk be required to have printed 150 copies of the full journals of the Council every morning, and have the same laid upon the table of the members, and also to have the journals of this session from the first day of the session up to the present time printed, all of which to be in pamphlet form.

Mr. Clark moved a suspension of the rule, and that the resolution be taken up for immediate action, which was agreed to.

The question being taken on the adoption of the resolution, it was adopted.

Mr. Richardson, from the committee on the Judiciary, on leave reported,

C. F. No. 26, a bill establishing the office of Register of Deeds, and relating to the conveyance of real estate, which,

On his motion, passed to a second reading.

Mr. Clark, on leave gave notice of a bill to grant a ferry charter to S. W. Williams, A. B. Malcolm and their associates, to keep a ferry across the Missouri river, opposite Jeffries steam mill, one mile above and one below the said mill, on the Iowa side of the Missouri river.

Mr. Clark also introduced the following :

WHEREAS : Statements have been published and efforts made by certain parties in reference to Acting Governor T. B. Cuming, therefore, &c.

*Resolved,* That we herby express our full and unqualified confidence in the uprightness and efficiency of the present Acting Executive of this Territory, Hon. T. B. Cuming, that we believe he has been directed by honorable and pure motives, and that we herewith tender our hearty and grateful approval of the energy and firmness by which our Territory has been so rapidly organized, and our constituents so greatly benefitted—Laid over under the rule.

On motion of Mr. Jones,

C. F. No. 16, Was taken up, a bill for an act regulating the sale of town lots, on which bill the committee resolved itself into a committee of the Whole, Mr. Rogers in the Chair.

After some time spent therein. the committee arose, and by their Chairman reported back the bill with various amendments, and recommended that it be laid on the table.

H F. No. 16, Was taken up, a bill for an act relative to claims on public lands, and,

On motion of Mr. Clark, passed to a second reading.

On motion of Mr. Bennett,

Referred to the committee on the Judiciary.

Mr. Mitchell, on leave gave notice of a bill granting a charter to John T. Baldwin, his associates and assigns, to establish and keep a ferry on the Missouri river in Douglass county, opposite to a point known and designated as the "Busha Ferry," in Potawatamie county, Iowa,

On motion, the Council adiourned.

TUESDAY, FEBRUARY 6TH, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Rev. Mr. Gage.

Mr. Clark presented the petition of Thomas L. Griffy, asking for exclusive ferry privileges across the Missouri river, from Nebraska Territory to the state of Iowa, at a point therein designated.

Mr. Goodwill moved to refer to the committee on Incorporations.

Mr. Bennet moved to amend by instructing the committee to report to-morrow morning; which motion was adopted.

Mr. Clark presented the petition of Geo. W. Hollister and forty others, praying for the establishment of Sarpy county, which

On his motion, was referred to a select committee.

Messrs. Clark, Bennet and Richardson were appointed such committee.

Mr. Bradford presented the petition of H. P. Downs and eighty other citizens of Nebraska City, praying for a prohibitory liquor law.

On his motion, referred to the committee on the judiciary.

Mr. Goodwill from the committee on agriculture and manufactures, to whom was referred

C. F. No 25, A bill to restrain sheep and swine from running at large, reported back the same, and recommended its passage.

Mr. Mitchell, from the committee on Territorial affairs, to whom was referred

H. F. No 19, reported back a substitute, and recommended its passage.

Mr. Clark, from the committee on incorporations, to whom was referred,

C. F. No 15, A bill for an act to incorporate the Florence Bridge Company, reported back a substitute for the same, and recommended its passage.

Mr. Goodwill from the committee on privileges and elections, submitted the following report:

Your committee to whom was referred all matters pertaining to the contested seats of members of this Council, have had the same under consideration, and believe it inexpedient to further investigate the subject, and ask to be discharged from taking further action on the subjects of said contested seats.

T. G. GOODWILL,
C. H. COWLES,
A. D. JONES,
} Committee.

On motion of Mr. Jones, the following resolution was offered and adopted:

*Resolved*, That only one hundred copies of the Journal of the Council be printed for the Council each morning.

Mr. Bennet, from the select committee, to whom was referred the joint resolution and memorial, concerning territorial roads, submitted C. F. No 31, report and joint resolution, as a substitute.

Mr. Mitchell introduced a bill,

C. F. No 32, for an act to authorize Jno. T. Baldwin and others, to keep a ferry across the Missouri river; which

On motion, passed to a second reading, and was referred to the committee on Incorporations; also,

A bill for an act to authorize James C. Mitchell and associates to keep a ferry across the Missouri river at Florence, N. T., which

On motion, passed to a second reading, and was referred to the committee on Incorporations.

Mr. Bennet, on leave, introduced

C. F. No 34, A joint resolution for an appropriation to defray the expenses of a military force to protect the Territory from Indian depredations; which,

On motion, passed to a second reading, and was referred to the committee on military affairs.

On motion of Mr. Mitchell,

The substitute for H. F. No 19, joint resolution requesting the Governor to commission officers to raise volunteers, was taken up, and passed to a second reading.

Mr. Richardson offered the following amendment:

Provided, That the expenses incurred in raising, equipping, and subsisting said companies shall not be chargeable to this Territory.

The question being taken on the amendment,

The ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Bennet, Folsom, Jones, Richardson and Sharp—5.

Nays—Bradford, Brown, Clark, Cowles, Goodwill, Nuckolls, Mitchell and Rogers—8.

So the amendment was lost.

Mr. Richardson moved to amend by inserting—"if he deems it expedient and necessary."

On which, the question being taken, the amendment was adopted.

On motion of Mr. Mitchell,

The rule was suspended, and the resolution was ordered to be engrossed and read a third time.

The substitute for C. F. No 5, C. F. No 31, joint resolution concerning a territorial road therein mentioned, was taken up, and

On motion of Mr. Mitchell,

The rules were suspended, and the resolution read a second time.

Mr. Jones offered to amend by striking out mouth of the Big Sioux river, and inserting "Dakota;" which amendment was adopted.

Mr. Bennet moved to amend by inserting "The county seats of all the border counties, and other important points along the Missouri river, in this Territory as far as practicable;" which amendment was adopted.

On motion of Mr. Goodwill,

The rules were suspended, and the resolution ordered to be engrossed and read a third time.

Mr. Mitchell from the committee on Enrollments to whom was referred the substitute for H. F. No 19, reported back the same as correctly engrossed, and

On his motion, the resolution was passed and title agreed to.

C. F. No 53, resolution relating to papers for the Clerks of the Council, was taken up and adopted.

C. F. No 30, report of committee on privileges and elections, was taken up and ordered to be printed.

C. F. No 36, Substitute for an act to incorporate the Florence bridge company, was taken up and ordered to be engrossed and read a third time tomorrow.

Mr. Richardson, on leave, introduced a bill for an act to authorize Samuel G. Bayless and others to establish and keep a ferry or toll bridge across the Missouri river, which

On his motion was referred to the committee on Incorporations.

Mr. Bennet moved that the Council adjourn,

On which question a division was called, the motion adopted, and the Council adjourned.

WEDNESDAY, February 7, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Rev. Mr. Gage.

Mr. Bennet gave notice of a bill for an act to incorporate the Nebraska steam mill company.

Mr. Nuckolls gave notice of a bill for an act to incorporate the Platte Valley emigration company.

Mr. Clark, from the committee on incorporations, to whom was referred C. F. Nos 1, 5, 8, reported C. F. Nos 1, 8, and a substitute for No 5, and recommended their passage.

Mr. Bradford, from the select committee to whom was referred C. F. No 34, joint resolution relating to expenses of a military force for protection against Indian depredations, reported back the same with amendments, and recommended its passage as amended.

Mr. Clark, from the select committee to whom was referred the petition of George W. Hollister, and others, reported back C. F. No 37, a bill for an act to define the boundaries of the county of Sarpy, and locate the seat of justice thereof, and recommended its passage.

Which was read the first time, and ordered to be printed.

Mr. Clark, to whom was referred C. F. No 36, a bill for an act to incorporate the Council Bluffs and Nebraska ferry company, reported back a substitute for the same, and recommended its passage.

Read the first time and ordered to be printed.

C. F. Nos 1, 5, 3, 7, were taken up and ordered to be printed.

C. F. No 34, was taken up, a joint resolution relating to military expenditures, together with the amendments reported by Mr. Bradford, from the select committee, to whom it was referred, and

The resolution was ordered to be engrossed, and read a third time as amended.

C. F. No 56, substitute for the resolution, relating to Gov. Cuming, was taken up.

Mr. Bennet offered the following amendment:

*Resolved*, That the resolution endorsing the official acts of his Excellency, T. B. Cuming, be postponed until the first day of March, and a committee of five be appointed to investigate the matter, and lay before this Council all the evidence in the premises.

Mr. Bradford moved a call of the House, which, being taken, Mr. Mitchell was found absent.

Mr. Richardson moved that all further proceedings under the call be dispensed with.

On which question a division was called, and the motion adopted.

Mr. Bennet moved that the resolution and amendments be laid upon the table until to-morrow.

On which question the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bennet, Bradford, Brown, Cowles, Nuckolls and Sharp—6.

Nays—Messrs. Clark, Folsom, Goodwill, Jones, Richardson and Rogers—6.

So the motion was lost.

The question recurring on the amendment offered by Mr. Bennet,

The ayes and nays were ordered—

Ayes—Messrs. Bennet, Bradford, Brown, Cowles, Nuckolls and Sharp—6.

Nays—Messrs. Clark, Folsom, Goodwill, Jones, Richardson and Rogers—6.

So the amendment was lost.

Mr. Bennet moved a call of the House, which being taken, Mr. Mitchell was found absent.

Mr. Richardson moved that all further proceedings under the call be dispensed with.

On which question the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Clark, Folsom, Goodwill, Jones, Richardson and Rogers—6.

Nays—Messrs. Bennet, Bradford, Brown, Cowles, Nuckolls and Sharp—6.

So the motion was lost.

Mr. Mitchell appeared and took his seat, when

Mr. Rogers moved that all further proceedings under the call be dispensed with.

Which motion the chair decided not to be in order.

Mr. Richardson appealed from the decision of the chair.

The question being taken, the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bennet, Bradford, Cowles, Jones, Nuckolls and Mitchell—6.

Nays—Messrs. Folsom, Goodwill, Richardson and Rogers—4.

Messrs. Brown and Clark being excused from voting.

The opinion of the chair was sustained.

Mr. Bennet moved the following amendment to the resolution:

Resolved, That the further consideration of matters of the resolution under consideration be postponed ten days, and a select committee appointed by the chair to investigate the said matters and report the evidence (if any) to this Council.

The question being taken on the amendment, the ayes and nays were ordered and resulted as follows—

Ayes—Messrs. Bennet, Bradford, Cowles, Nuckolls and Mitchell—5.

Nays—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers and Sharp—8.

So the amendment was lost.

Mr. Goodwill offered the following amendment, which was adopted:

Resolved, That the substitute under consideration be referred to a select committee, with instructions to report at its earliest convenience.

Messrs. Goodwill, Richardson and Bennet were appointed such committee.

On motion of Mr. Richardson,

The Council took a recess till 2 o'clock, P. M.

## AFTERNOON SESSION.

Mr. Clark, on leave, offered the following resolution:

Resolved, That the energy and determined perseverance of the Acting Governor, T. B. Cwming, as manifested in the consummation of the speedy organization of the Territory, entitles him to the continued confidence of the administration at Washington, and the gratitude and support of the people of the Territory.

Mr. Jones moved that the rule be suspended and the Council go into a committee of the whole, to act upon the resolution immediately.

Which motion, Mr. Bradford objecting, was lost.

C. F. No 26, a bill establishing the office of register of deeds, and relating to the conveyance of real estate, was then taken up, and amended as follows:

Sec. 11, third line, insert "state or" before "country."

Sec. 31. annex—"Also, all liens in favor of any mechanic for work done, or materials furnished for any building, stating the amount of indebtedness claimed and description of the property offered by the lien."

Mr. Bennet moved to insert "one hundred" in the blank of 2d line, Sec. 36.

On which motion the ayes and nays were ordered and the result was as follows:

Ayes—Messrs. Bennet, Bradford, Clark, Nuckolls, Mitchell, Richardson, Rogers and Sharp—8.

Nays—Messrs. Brown, Cowles, Folsom, Goodwill and Jones—5.

So the motion was carried.

Mr. Bennet moved to insert "ten" in the blank of the 3d line Sec. 36.

On which motion the ayes and nays were ordered, and the result was as follows—

Ayes—Messrs. Bennet, Bradford, Clark, Cowles, Nuckolls, Mitchell, Richardson, Rogers and Sharp.—9.

Nays—Messrs. Brown, Folsom, Goodwill, and Jones—4.

So the motion to amend was agreed to.

Mr. Mitchell moved to insert "twenty-five" in the blank of the 4th line, Sec. 36.

Which amendment was adopted.

Mr. Bennet moved the following as an additional section, which was adopted.

"Sec 38. The register shall mark upon the deed or instrument, after recording the same, the time of filing the same, and the book and page in which the same is recorded.

On motion of Mr. Mitchell, the Council adjourned.

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THURSDAY FEBRUARY 8th, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Rev. Mr. Gage.

On motion of Mr. Clark, the reading of the journal was dispensed with.

Mr. Nuckolls presented the petition of Gardner Towers and others, remonstraing against the passage of a law preventing hogs and other stock from running at large.

Referred to the committee on agriculture and manufactures.

Mr. Mitchell presented sundry petitions from D. B. Hawley and other, praying for the establishment of Jackson county.

Also, a petition from William Connor and others, asking that DeSoto be made the county seat of Washington county.

Referred to the committee on counties and county seats.

Mr. Clark introduced a joint resolution,

C. F. No. 37, Relating to protection of intercourse between the Atlantic and Pacific States.

Which, on his motion, passed to a second reading, and was referred to the committee on military affairs.

Mr. Nuckolls gave notice of a bill organizing the county and locating the county seat of Iatan county.

Mr. Bradford offered the following resolution :

*Resolved,* That the Council request the President to cause rules 2d, and 3d, and 4th, to be strictly observed by all the members without distinction.

Laid over under the rule, also the following resolution :

*Resolved,* That the Chief Clerk inform this body what prices he pays for printing, that the Council may take further action in the case, if thought expedient.

Laid over under the rule.

Mr. Cowles gave notice of a bill to incorporate the Salt Creek salt manufacturing company.

Mr. Clark, from the committee on Incorporations, to whom was referred the petition of Thomas S. Griffy, and his associates, to establish and keep a ferry across the Missouri river, reported back a bill in favor of granting the prayer of the petitioners.

Mr. Mitchell, from the committee on enrollments, to whom was referred,

C. F. Nos. 31 and 34, reported back the same as correctly engrossed.

Also, from the committee on Territorial affairs, to whom was referred so much of the Governor's message as relates to the death of the late Gov. Burt, a preamble and joint resolution on that subject, (C. F. No. 38.)

C. F. No. 58, Resolution endorsing the official acts of Acting Governor T. B. Cumming was taken up.

On motion of Mr. Rogers, the Council resolved itself into committee of the Whole.

After some time spent therein,

Mr. Bennett moved that the committee now rise and report.

Mr. Rogers, Chairman of the committee, reported the resolution back without amendment.

Mr. Bennett moved to refer the resolution to a select committee.

Mr. Jones moved that the motion be laid on the table,

On which question the ayes and nays were ordered, and the result was as follows:

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers and Sharp—8

Nays—Messrs. Bennett, Bradford, Cowles, Nuckolls and Mitchell—5.

So the motion was laid on the table.

Mr. Cowles offered the following amendment:

WHEREAS, Investigation of the acts of the Acting Governor has not been had, we cannot vote understandingly in regard to them, therefore,

Resolved, That all further action be postponed until the 16th of March next.

Mr. Folsom moved to lay the amendment on the table,

On which question the ayes and nays were ordered, and resulted as follows.

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers and Sharp—8.

Nays—Messrs. Bennett, Bradford, Cowles, Nuckolls and Mitchell—5.

So the amendment was laid on the table.

Mr. Bennett moved to postpone the further consideration of the resolution until the first of March next.

On which question the ayes and nays were ordered with the following result:

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers and Sharp—8.

Nays—Messrs. Bennett, Bradford Cowles, Nuckolls and Mitchell—5.

So the motion was lost.

Mr. Cowles offered the following amendment:

Resolved, That the Acting Governor is considered by the infatuated few to be human, and therefore is liable to err.

Mr. Rogers moved to lay the amendment on the table,

On which question a division was called, and the amendment was laid on the table.

Mr. Bennett offered the following amendment:

Resolved, That by the adoption of the above resolution without investigation, we hereby declare the gag law in force in this territory.

Mr. Rogers moved to lay the amendment on the table.

On which question the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers and Sharp—8.

Nays—Messrs. Bennnett, Bradford Cowles, Nuckolls and Mitchell—5.

So the amendment was laid on the table.

The question recurring on the adoption of the resolution, the ayes and nays being demanded, the result was as follows:

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers, Sharp—8.

Nays—Messrs. Bennett, Bradford, Cowles, Mitchell, Nuckolls—5.

So the resolution was adopted.

C. F. No. 31, A joint resolution concerning appropriations for a territorial road was taken up.

Mr. Rogers moved that the blank be filled with "two hundred thousand," which motion was lost.

Mr. Jones moved that the blank be filled with "one hundred thousand."

A division was called, and the motiou was lost.

Mr. Bennett moved to insert "fifty thousand," which was agreed to.

C. F. No. 34, was taken up.

Message from the House.

MR. PRESIDENT: I have to inform you that the House of Representatives has passed H. F. No. 20, Joint resolution relating to printing and distribution of journals, also H. F. No. 23, An act to authorize Wm. Corfield to keep a ferry on the Missouri river, at the town of Rock Bluffs, in the county of Cass, also, H. F. No. 31, An act to authorize Gideon Bennett to keep a ferry at Bennett's landing, also, H. F. No. 30, A bill declaring a portion of the British statutes and common law of England in force in this territory, in which it respectfully requests concurrence on the part of the Council.

J. W. PADDOCK, Chief Clerk.

The consideration of C. F. No. 34 was resumed, and

The question being taken on its passage, the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bradford, Brown, Clark, Cowles, Folsom, Goodwill, Jones, Nuckolls, Mitchell—10.

Nays—Messrs. Bennet, Richardson, Rogers and Sharp—4.

So the resolution was passed, and its title agreed to.

Mr. Mitchell moved that the further consideration of the business under the special order of the day, be now dispensed with, and the resolution relating to the death of Gov. Burt be taken up.

Mr. Bennett objected.

The motion was lost.

C. F. No. 26, was taken up, a bill establishing the office of Register of Deeds, and relating to conveyance of real estate.

Mr. Richardson moved to amend Sec. 36. by inserting "provided, that in case the county shall furnish an office, light, fuel and stationary for the use of the office, the fees for recording every instrument, if not more than one hundred words, shall be——cents.

On motion of Mr. Clark, the amendment was laid on the table.

The question then being taken on engrossing, and ordering to a third reading, the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bradford, Brown, Cowles, Clark, Goodwill, Jones, Mitchell, Richardson, Rogers and Sharp—10.

Nays—Messrs. Bennett, Folsom, Nuckolls—3.

So the resolution was ordered to be engrossed and read a third time.

On motion of Mr. Clark,

The Council adjourned till 2 o'clock P. M.

AFTERNOON SESSION.

C. F. No. 2, was taken up a bill for an act to incorporate the Plattsmouth ferry company.

Mr. Nuckolls moved to amend by inserting J. L. Sharp, and L. Nuckolls, in 2d line of Sec. 1, which was agreed to.

Mr. Richardson moved to amend by striking out "heirs and assigns," in the 3d line of Sec. 1, and inserting their associates and successors." which was agreed to.

Mr. Folsom moved the addition of Sec. 2, The said incorporation is to keep a good and sufficient boat or boats, and at all reasonable times to transport all persons and property across said river, and to receive therefor such reasonable rates of toll, as the Legislature may from time to time establish.

Mr. Richardson moved to amend by inserting in the first line of Sec. 3, after the word "should," "the 2d section of this act, or," which was agreed to.

On motion of Mr. Bennett,

The following amendment was added to the last line of Sec. 3, "and the suit may be instituted at the instance of any person aggrieved thereby."

On motion of Mr. Clark, the rule was suspended, the bill read a third time, passed, and title agreed to.

Message from the House :

Mr. President :—I am direoted to inform you that the House of Representatives has passed H. F. No. 50, Joint resolution relative to the appointment of William P. Snowdon, sole auctioneer for the county of Douglas, requesting the concurrence of the Council therein.

J. W. PADDOCK, Chief Clerk.

C. F. No. 4, A bill to incorporate the Nebraska Colonization Company, was taken up.

Mr. Bennett moved to amend sec. 1, in line 4th, by inserting after "corporate," "by the name and style of the Nebraska Colonization Company," which was agreed to.

Mr. Clark moved the following additional :

Sec. 4, Nothing in this act shall be so construed as to give this corporation the power or privilege of banking.

On motion of Mr. Clark, the rules were suspended, the bill was read a third time, passed, and title agreed to.

C. F. No. 4, Joint resolution relating to protection from Indians was taken up, and

On motion, was laid upon the table.

C. F. No. 6, Substitute for an act to incorporate the New England Land and Emigration Company was taken up.

Mr. Clark, by request of B. R. Folsom, moved an amendment to Sec. 1, 4th line, by striking out "Benjamin R. Folsom," and inserting "Enos Lowe, Henry C. Brown," which was agreed to.

Mr. Clark moved to strike out Sec. 7, and insert the following : "The President and Treasurer shall open and establish an office for the transaction of the business of the company, receive deposites, and issue certificates for the same, provided nothing in this act shall be so construed as to give this corporption the powers or privilege of banking."

Also to insert "Sec. 10. The stockholders shall be individually liable to the amount of stock owned by them respectively, for the debts of the company,"

Which was agreed to.

On motion of Mr. Clark,

The bill was ordered to be engrossed and read a third time.

C. F. No 9, A bill to authorize William Kline to keep a ferry across the Elkhorn river, was taken up.

Mr. Jones moved to amend Sec. 1, 5th line, by striking out all after "established," which was agreed to.

Mr. Clark moved the following additional section:

SEC. 4. It shall be the duty of said company to keep a suitable boat or boats or bridge, for the speedy and safe transportation of all persons or property, at all suitable times; which was agreed to.

C. F. No 11, A bill to establish a ferry across the Elkhorn river at Iron Bluffs, was taken up, and

On motion of Mr. Clark, postponed until to-morrow.

C. F. No 12, An act to authorize Daniel C. Oaks and his associates to keep a ferry across the Loupe Fork of the Platte river, was taken up.

Mr. Clark moved to amend by striking out in Sec. 1, 6th line, "to alter amend or repeal this act," which was agreed to.

Mr. Richardson moved to amend by inserting after "reserving to the Legislature," which was agreed to.

Mr. Bennet moved to strike out "Hollister" and insert "Pawnee," in 4th line Section 1 which was agreed to.

Mr. Bennet moved to strike out in Section 3, first line, all after "its" and insert "passage," which was agreed to.

The bill was ordered to be engroosed and read a third time.

C. F. No 13, An act to authorize Jonathan Shinn, his associates, heirs or assigns, to establish and keep a ferry across the Elkhorn river, was taken up.

Mr. Clark moved to amend by striking out "three" in Section 1, 5th line, and inserting "five," which was agreed to.

Mr. Bennet moved to amend by striking out "within" Section 1, 5th line and inserting "the exclusive privilege thereof for," which was agreed to.

Mr. Clark moved to amend by striking out in Section 3 all after the word "its" and insert "passage; also,

To strike out Section 4, which was agreed to, and the bill ordered to be engrossed and read a third time.

C. F. No 14, An act to authorize Richard Brown and others to establish and keep a ferry across the Missouri river at Brownsville, Forney county, was taken up.

Mr. Bennet moved to amend, by striking out in Sec. 1, 13th line all after equity, which was agreed to.

Mr. Clark moved to strike out Sec. 3rd, and insert the following substitute:

SEC. 3. Said corporation shall keep a suitable boat or boats, to transport, persons or property at all suitable times; which was agreed to.

M. Rogers moved the following additional section, which was agreed to.

SEC. 4. This act shall take effect from and after its passage.

The bill was ordered to be engrossed and read a third time.

Mr. Bennet on leave introduced,

C. F. No 51, An act to authorize H. C. Purple and others to keep a ferry on the Missouri river at Tekamah, which was read the first time.

Mr. Folsom on leave introduced,

C. F. No 39, An act authorizing H. C. Purple and others to keep a ferry across the Missouri river at Tekamah; also,

C. F. No 40, An act to define the boundaries and locate the seat of justice of Burt county, which were read the first time.

On motion of Mr. Richardson the Council went into executive session.

After some time spent therein the Council adjourned.

FRIDAY FEBRUARY 9th, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Rev. Mr. Gage.

The journal of the 7th inst. being read,

Mr. Clark presented the following joint resolution :

Resolved by the Council and House of Representatives of the Territory of Nebraska, That the Judges of this Territory be requested to lend their assistance immediately in preparing a code of laws and rules of practice, to be adopted by the Assembly.

Mr. Bradford gave notice of a bill authoriziug Wm. B. Hail, and his associates, to keep a ferry at Nebraska City, across the Missouri river ; also,

Of a bill providing for the organization of counties and the election of county officers.

Mr. Bennet gave notice of a bill to grant a ferry charter to Stephen Cass and others, on the Platte river, at the mouth of Shell creek.

Mr. Clark introduced the following joint resolution :

SEC. 1. Resolved by the Council and House of Representatives of the Territory of Nebraska, That Sherman & Strickland be the Printers of the laws of the present session, and that they enter into bonds immediately to the Governor, in the sum of ten thousand dollars, and sureties to be approved by the Governor, conditioned that the said Sherman & Strickland shall print in workmanlike manner, in pamphlet form, one thousand copies of all the laws passed by the Legislative Assembly at its present session, with an index thereto ;—and shall prefix to said laws a copy of the Constitution of the United States, the Organic law of the Territory, and all the Executive proclamations issued in the organization of the Territory, and shall deliver said copies to the Secretary of the Territory, within ninety days next after the adjournment of the present session.

SEC. 2. That the said Secretary is hereby required to pay said printers for doing said work, the prices allowed by the Secretary of the United States Treasury.

Mr. Clark also gave notice of the following bills :

A bill for an act supplementary to an act to incorporate the Plattsmouth ferry company ; also,

A bill to authorize J. R. Dye to keep a ferry across the Missouri river at Mount Vernon.

Mr. Brown gave notice of a bill to organize the county of DeKalb, and locate the county seat thereof.

Mr. Jones offered the following resolution :

*Resolved,* That the Council rules be recommitted for revision, to the same committee who reported the same to this Council, and be instructed to report as soon as practicable ; laid over under the rule.

Mr. Mitchell, from the committee on enrollments, to whom was referred C. F. Nos 2, 6, 13, 26, 14, 4, 12, 9, reported back the same as correctly engrossed.

Mr. Goodwill, from the committee to whom was referred the remonstrance of Gardner Powers and others, in relation to swine and stock running at large, reported back the same, recommending it to be laid on the table.

Mr. Bennet, on leave, offered the following resolution :

*Resolved,* That the Chief Clerk, through the Chaplain of the Council, be required to procure a copy of the Holy Scriptures.

On motion of Mr. Clark, the rules were suspended and the resolution adopted.

Mr. Richardson from the committee on the judiciary, to whom was referred

that part of the Governor's message relating to popular sovereignty, submitted the following report:

The committee on the judiciary to which was referred the resolution:

*Resolved,* That so much of the Governor's message as refers to popular sovereighty be referred to the committee on the judiciary," report that the subject matter of said resolution has, as this committee understand, been referred heretofore to some standing or select committee, they therefore ask leave to be discharged from farther consideration of the subject.

O. D. RICHARDSON, Chairman.

Also, the following report relating to trespass upon claims:

The committee on the judiciary, to whom was referred C. F. No 17, Entitled a bill to prevent trespass upon claims and to define the extent thereof;—also, H. F. No 16, Entitled a bill relative to claims on public lands, report:

That they have had the same under consideration, and as both bills relate to the same subject, they ask to be discharged from the further consideration of the Council bill, and report herewith a substitute for the House bill and recommend its adoption. O. D. RICHARDSON, Chairman.

Mr. Rogers from the committee on the judiciary, to whom was referred the petition of citizens of Nebraska City, praying for a prohibitory liquor law, submitted the following report:

Your committee, to whom was referred the petition of H. P. Downs and eighty others, praying for a prohibitory law against traffic in intoxicating drinks, and against licensing dram shops and other drinking houses report:

That in their opinion, where the people are prepared and public sentiment sufficiently in favor of a prohibitory law to fully sustain and enforce it, such a law would be productive of the best results to community.

That in the opinion of this committee, the traffic in intoxicating drinks is a crime, and they would be unwilling to legalize this crime by the solemn sanction of a law granting license for its commission. They are unwilling to elevate to respectability by legal sanction any trade or traffic that tends to demoralize community, retard the progress of education, impoverish the people, ann impose on the sober and industrious part of community without their consent a tax which must necessarily be incurred to take care of paupers and criminals manufactured by the traffic.

They are unwilling to make a traffic creditable the evil effects of which do not stop by besotting and bankrupting the heads of families, but which cause hunger, shame, distress rnd poverty to be imposed with tenfold severity upon the innocent wife and children of their families. As much however as we may be in favor of a prohibitory law until community by petition or otherwise may fully manifest their determination to sustain such a law. S. E. ROGERS.

Mr. Bennet from the committee on judiciary, to whom was referred,

C. F. No 20, A bill to legalize certain officers therein mentioned, reported back a substitute for Sec. 1, and recommended its passage.

C. F. No 60, Resolution relating to printing was taken up, and

On motion of Mr. Cowles, referred to the committee on printing.

C. F. No 59, Resolution relating to the observation of the rules of the Council, was taken up, and

On motion of Mr. Clark, laid on the table.

H. F. No 50, Joint resolution relative to the appointment of Wm. B. Snowdon, sole auctioneer for the county of Douglas, was taken up.

On motion of Mr. Jones passed to a second reading.

Mr. Jones moved to refer to the committee ou agriculture,

On which motion a divitiou was called, the motion was lost.

Mr. Nuckolls moved to refer it to the committee on the judiciary,

On which question a division wrs called and the motion was lost.

Mr. Bennet moved its reference to the committee on highways and bridges, which motion was lost.

Mr. Bradford moved to refer to the committee on ways and means, which motion was lost.

Mr. Bennet offered to amend the resolution by striking out "sole" and inserting "an," which was agreed to.

Mr. Jones moved to amend by inserting, "as other auctioneers in this Territory," and striking out licensed auctioneers in the State of Iowa, which motion was agreed to.

On motion of Mr. Folsom,

Referred to the committee on the Judiciary.

H. F. No 20, Joint resolution relating to the printing and distribution of journals, was taken up and read the first time.

H. F. No 30, was taken up, a bill declaring a portion of the British statutes and common law of England in force in this Territory.

Passed to a second reading, and referred to the committee on judiciary.

H. F. No 31, was taken up, an act to authorize Gideon Bennet to keep a ferry at Bennet's Landing.

Passed to a second reading and referred to the committee on incorporations.

H. F. No 23, was taken up, an act to authorize Wm. Corfield to keep a ferry on the Missouri river at the town of Rock Bluffs, in Cass county.

Passed to a second reading and referred to the committee on incorporations.

Mr. Folsom, on leave, introduced

C. F. No 50, A bill for an act to incorporate the Nebraska Stock company.

On motion of Mr. Clark,

The rules were suspended, and the bill passed to a second reading.

Mr. Clark moved to insert Sec 6. Nothing in this act shall be so construed as to give the corporation the power and privilege of banking; which was agreed to.

Referred to the committee on incorporations.

Mr. Brown asked and obtained leave to be excused till Thursday.

C. F. No 36, was taken up, a bill to incorporate the Council Bluffs and Nebraska Ferry Company.

Mr. Richardson moved that the printing be dispensed with, which motion, on a division, was agreed to.

Mr. Richardson moved to amend by striking out and inserting, "at a point midway between the ferry landing at Florence, and the grade at or near the Council Bluffs and Nebraska ferry landing, opposite Omaha City."

Which was agreed to.

Mr. Mitchell moved to amend by inserting, "within half the distance by the way of the main channel of the river, and one half the distance by the way of the main channel of the river to Belleview;" which was agreed to.

Mr. Jones offered to amend by inserting, "That said ferry shall be kept and run from Omaha City, as surveyed, plotted and lithographed previous to the assembling of this Legislature, and where the Nebraska ferry company have heretofore run their ferry;" which amendment was lost; also,

The following amendment: "That said company shall not have the privilege of ferrying beyond the limits of Omaha City as lithographed previous to the 1st of January, 1855; on which

The ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Jones and Sharp—2.

Nays—Messrs. Bennet, Bradford, Folsom, Goodwill, Mitchell, Richardson and Rogers—7.

Messrs. Cowles, and Nuckolls being excused from voting.

The amendment was lost.

C. F. No 42, was taken up, an act to authorize Thomas L. Griffy and his associates, to establish and keep a ferry across the Missouri river.

On motion the rules were suspended, and the bill ordered to a third reading, passed and title agreed to.

C. F. No 15, substitute for an act to incorporate the Florence bridge company, was taken up, and the rules being suspended, read a third time, passed and title agreed to.

C. F. No 8, An act to incorporate the Platte river bridge company, was taken up.

Mr. Nuckolls moved to amend by inserting H. P. Bennet after A. W. Hollister, which was agreed to.

Mr. Clark moved to annex an additional section :

"Sec. 9. The ferry shall be put into operation within one year from date of passage of this act, and the bridge commenced and completed within ten years," which was agreed to..

The bill was ordered to a third reading, passed, and title agreed to.

C. F. No 1, A bill to incorporate the Missouri river and Platte Valley railroad company was taken up.

Mr. Bennet moved to amend by inserting, "and with another branch to start at Nebraska City, in county of Pierce, and on the best practicable route to connect with the same at Grand Island, which was agreed to.

The bill was ordered to a third reading, passed and title agreed to.

C. F. No 5, substitute for a bill to incorporate the Platte valley and Pacific railroad company was taken up.

Mr. Richardson moved to annex the following additional section :

Sec. 14. This act shall take effect from and after its passage ; which was agreed to.

The bill was ordered to a third reading, passed and title agreed to.

C. F. No 11, was taken up, an act to establish a ferry at Iron Bluffs.

Mr. Clark moved to amend Sec. 1, by striking out the words, "subject to restrictions or repeal by the Legislature," which was agreed to.

Also to amend by adding,

Sec. 2. Said company shall keep a good and sufficient boat or boats for the safe and speedy transportation of property and persons at all reasonable times..

Which was agreed to.

C. F. No 18, substitute for a bill to incorporate the Belleview ferry and bridge company, was taked up, ordered to a third reading, passed and title agreed to.

C. F. No. 19, substitute for a bill to incorporate the Council Bluffs ferry and bridge company, was taken up, read a third time, passed, and title agreed to.

C. F. No 22, was taken up, a bill authorizing J. D. M. Crockwell and others, to keep a ferry.

Mr. Jones moved to amend by striking out Sec. 3, which was agreed to.

The bill was read a third time, passed and title agreed to.

C. F. No 33, substitute for an act to incorporate the Florence ferry company, was read a third time, passed and title agreed to.

Mr. Mitchell, from the committee on enrollments, to whom was referred C. F. No 36, reported back the same as correctly engrossed.

C. F. No 24, A bill for an act to incorporate Nebraska City, was taken up, and laid over until to-morrow.

C. F. No 14, taken up, a bill to incorporate the Brownville ferry company, read a third time, passed and title agreed to.

C. F. No 13, An act to establish and keep a ferry or toll bridge on the Elkhorn river, was taken up, read a third time, passed and title agreed to.

C. F. No 6, An act to incorporate the New England Land Emigration company, was taken up, read a third time, passed and title agreed to..

C. F. No 12, an act to authorize D. C. Oakes and his associates to establish a ferry across Loup Fork, was taken up, read a third time, passed and title agreed to.

C. F. No. 26, an act establishing the office of register of deeds, and relating to the conveyance of real estate, was taken up, read a third time, passed and title agreed to.

C. F. No 47, report of *Mr.* Rogers on the prohibitory liquor law, from the committee on judiciary, was taken up, and ordered to be printed.

C. F. No 44, joint resolution providing for the printing of the laws of the present session was taken up, and passed to a second reading.

*Mr.* Goodwill gave notice of a bill to grant a charter to certain parties to keep a ferry or ferries, at such point or poin s as they may select on the Missouri river, the whole length of said river, over which this Territory has jurisdiction, except such points (if any) as are not already provided for by charter.

On motion of *Mr.* Nuckolls,

C. F. No 38, preamble and joint resolution relating to the late Gov. Burt, was taken up, and

On motion of Mr. Clark,

The rules were dispensed with, the resolution read a third time, passed and title agreed to.

On motion of *Mr.* Mitchell,

As a mark of respect to the deceased, the Council adjourned till Monday morning 10 o'clock.

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MONDAY, February 12, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Rev. Mr. Gage.

Message from the House:

MR. PRESIDENT—I have to inform you that the House of Representatives have passed the following: H. F. No 6, a bill to exempt the property of married women in certain cases.

H. F. No 17, an act to incorporate the Nebraska University

H. F. No 28, an act to authorize Josiah Burget and associates to keep a ferry at Wyoming.

H. F. No 29, an act defining the duties of county surveyors.

H. F. No 34, an act to incorporate the city of Cuming.

H. F. No 42, an act to authorize H. C. Purple, his associates and assigns to keep a ferry across the Missouri.

H. F. No 53, an act to incorporate Rock Bluff city.

H. F. No 54, an act to incorporate the Platte Valley emigration company:

In all of which the concurrence of the Council is respectfully requested.

J. W. PADDOCK, Chief Clerk.

Mr. Bennet, from the committee on enrollments, reported back C. F. Nos 9, 42, as correctly engrossed.

Mr. Bradford, from the committee on military affairs, to whom was referred the joint resolution, C. F. No 37, rela ing to protection of intercourse between the Atlantic and Pacific states, reported back the same without amendment, and recommended its passage.

Also, on leave, introduced a bill for an act to authorize Wm. B. Hail and his associates to keep a ferry aeross the Missouri river at Nebraska city.

Which, on motion, passed to a second reading, and was referred to the committee on incorporations.

Mr. Bennet, on leave, introduced C. F. No 52, a bill to authorize Stephen Cass and others to keep a ferry on Platte river.

Which, on motion, passed to a second reading, and was referred to the committee on incorporations.

C. F. No 61, was taken up, resolution relating to a revision of the Council rules.

Mr. Richardson moved to refer it, and all other papers relative to the subject, to the committee on printing.

Mr. Rogers moved that the resolution be laid upon the table.

Which motion was adopted.

Mr. Clark, from the committee on incorporations reported back H. F. No 23, 31, and C. F. No 50, without amendment, and recommended their passage.

The following bills were taken up and read the first time:

H. F. No 6, a bill to exempt the property of married women in certain cases.

H. F. No 17, an act to incorporate the Nebraska University.

H. F. No 28, an act to authorize Josiah Burget and his associates to keep a ferry at Wyoming.

H. F. No 29, an act defining the duties of county surveyors.

H. F. No 34, an act to incorporate the city of Cuming.

H. F. No 42, an act to authorize H. C. Purple, his associates and assigns, to keep a ferry across the Missouri river.

H. F. No 53, an act to incorporate Rock Bluffs city.

H. F. No 54, an act to incorporate the Platte Valley emigration company.

H. F. No 20, joint resolution relating to the printing and distribution of journals, was taken up,

Passed to a second reading, and referred to the committee on printing.

On motion, the Council took a recess till 2 o'clock, P. M.

AFTERNOON SESSION.

C. F. No 37, an act to define the boundaries of the county of Sarpy, and locate the seat of justice thereof, was taken up,

And on motion of Mr. Bennet, laid on the table.

C. F. No 43, was taken up. Joint resolution in reference to the supreme judges.

On motion of Mr. Folsom,

Laid on the table till the 4th of July.

C. F. No 44, joint resolution providing for the printing of the laws of the present session, was taken up, and

On motion of Mr. Bennet, laid on the table.

C. F. No 25, a bill to restrain sheep and swine from running at large, was taken up.

Mr. Bennet moved to amend Sec. 1, by striking out its last three words—"upon the commons."

Which was agreed to.

Mr. Rogers moved to amend Sec. 1, by striking out "March" and inserting "April," which amendment was lost.

Also, by inserting after "sheep" "goats, jacks, mules, cattle and horses," striking out "and."

Which amendment was lost.

Mr. Bennet moved to amend Sec. 3, by inserting "service" after "personal."

Which was agreed to.

Mr. Jones moved to amend by striking out in Sec. 2, the word "upon the commons."

Which was agreed to.

Mr. Rogers moved to amend by inserting "enclosed," next previous to "premises" wherever it occurs.

Which amendment was lost.

Mr. Bradford moved to amend by striking out "township" and inserting "county" wherever it occurs.

Which was agreed to.

Mr. Richardson moved to amend Sec. 5, annexing—"and execution may issue for the collection of said damages and costs, as in other cases."

Which was agreed to.

Mr. Bradford offered the following amendment as a substitute for Sec. 7:

"This act shall take effect as herein set forth, and shall be published in all the newspapers in the territory, prior to the 1st of March, 1855."

Which was adopted.

The bill was ordered to be engrossed and read a third time to-morrow.

C. F. No 23, was taken up, and

On motion of Mr. Clark, postponed till to-morrow.

On motion of Mr. Richardson,

The Council went into Executive session.

After sometime spent therein, the Council resumed its business in open session.

C. F. No 24, was taken up, a bill to incorporate Nebraska city, and on motion, postponed till next Thursday.

On motion, the Council adjourned.

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TUESDAY, FEBRUARY 13th, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Rev. Mr. Gage,

Mr. Folsom offered the following joint resolution which was read the first time:

Resolved, By the Council and House of Representatives of the Territory of Nebraska, That O. D. Richardson, A. J. Poppletonand John McN. Latham be, and are hereby appointed commissioners to prepare such laws as may be necessary in addition to those which will have been enacted by the Legislative Assembly at the present session, and that their report of said laws be laid before the Legislative Assembly at the next session for inspection and modification, if any be deemed necessary.

Mr. Bennet from the committee on enrollments, to whom it was referred, reported back C. F. No 25, as correctly engrossed.

Mr. Richardson, from the committee on judiciary, reported for the consideration of the Council, a bill (C. F. No 54) relating to divorces, and recommended its passage.

Mr. Clark gave notice of a bill to organize the militia of this Territory.

Mr. Richardson, from the committee on the judiciary, to whom was referred the joint resolution, H. F. No 50, relating to the appointment of Wm. P. Snowden sole auctioneer for the county of Douglas, submitted the following

REPORT:

That by the organic law of the Territory the district, county, and township officers are to be appointed by the Executive, and they are to hold their offices until the end of the session of the present Legislature.

The committee, therefore, are of opinion, that however desirous they might be of uniting with the House of Representatives in rewarding merit; yet there

seems to be an inseperable impediment in the way, and they therefore beg leave to report the bill back, and to be discharged from any further consideration of it.

C. F. No 62, was taken from the table, resolution relating to provisions for paying the Chaplain, and

On motion of Mr. Clark,

Referred to the committee on ways and means.

C. F. No 44, was taken from the table, joint resolution, providing for the printing of the laws of the present session.

On motion of Mr. Richardson,

Referred to the committee on printing.

C. F. No 37, was taken from the table, an act to define the boundaries of the county of Sarpy, and locate the seat of justice thereof.

Mr. Bennet moved that its further consideration be postponed until Thursday.

Which motion, on a division, was agreed to.

The following bills were taken up a second time, and severally referred, as follows:

H. F. No 17, an act to incorporate the Nebraska University.

Referred to the committee on schools and seminaries of learning.

H. F. No 28, an act to authorize Josiah Burget and his associates to keep a ferry at Wyoming.

Referred to the committee on incorporations.

H. F. No 29, an act defining the duties of county surveyors.

Referred to the committee on counties and county seats.

H. F. No 6, a bill to exempt the property of married women in certain cases.

Referred to the committee on the judiciary.

H. F. No 34, an act to incorporate the city of Cuming, was taken up.

Mr. Jones moved its indefinite postponement.

Which motion was lost.

On motion of Mr. Rogers,

Referred to the committee on incorporations.

H. F. No 42, was taken up, an act to authorize H. C. Purple his associates and assigns to keep a ferry across the Missouri river.

Referred to the committee on incorporations.

H. F. No 53, was taken up, an act to incorporate Rock Bluff city.

Referred to the committee on incorporations.

H. F. No 54, was taken up, an act to incorporate the Platte Valley emigration company, and

On motion of Mr. Clark,

The bill was considered engrossed, and read a third time.

The question being taken on its passage, the ayes and nays were ordered, and resulted as follows:

Ayes—Bennet, Bradford, Clark, Folsom, Goodwill, Richardson and Rogers—7.

Nays—Jones and Sharp.

So the bill was passed, and its title agreed to.

C. F. No 41, was taken up, an act incorporating the Nebraska city steam mill company.

Mr. Clark moved to amend by adding the following substitute for Sec. 8:

"Providing nothing in this act shall be so construed as to give this corporation the powers and privileges of banking."

Mr. Richardson moved to amend Sec. 8, by adding—"This act may be altered, repealed, or amended by the Legislature."

Mr. Folsom moved to amend the amendment by striking out the word "repealed," which was agreed to.

The question recurring on the amendment offered by Mr. Richardson, it was adopted.

Said bill was ordered to be engrossed for a third reading.

C. F. No 39, was taken up, an act to authorize H. C. Purple and others to keep a ferry, and

On motion of Mr. Clark,

H. F. No 42, was taken up, an act authorizing H. C. Purple and his associates to keep a ferry across the Missouri river.

Read a third time, passed and title agreed to.

Mr. Goodwill gave notice of a bill to incorporate the Territorial Bank of Nebraska.

On motion of Mr. Clark,

The Council took a recess till 2 o'clock P. M.

AFTERNOON SESSION.

C. F. No 37, was taken up, joint resolution relating to protection of intercourse between the Atlantic and Pacific states.

Mr. Sharp moved to amend by striking out in the last part of the resolution, "Napoleon B. Giddings."

Which was agreed to.

C. F. No 25, a bill to restrain sheep and swine from running at large, was taken up, read a third time, passed, and title agreed to.

H. F. No 34, was taken up, an act to authorize Gideon Bennet to keep a ferry at Bennet's Landing.

Referred to the committee on incorporations.

C. F. No 50, an act to incorporate the Nebraska stock company, was taken up, and ordered to be engrossed for a third reading to-morrow.

H. F. No 16, was taken up, an act relative to claims on public lands.

On motion of Mr. Jones,

The Council resolved itself into committee of the whole, Mr. Richardson in the chair, upon the consideration of said bill.

After some time spent therein, the committee rose and reported by their chairman progress, and asked that the committee have leave to sit again.

On motion, the Council went into Executive session, and after some time spent therein, adjourned.

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WEDNESDAY, FEBRUARY 14, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Bradford gave notice of a bill for an act to establish a system of public schools in this Territory.

Mr. Rogers, from the committee on Territorial Library, to whom was referred so much of the Governor's message as relates to minerals, having had the same under consideration, submitted the following

REPORT:

That in order to the due appreciation of a country's resources for wealth, and its capabilities for the maintenance of population, our researches must extend beyond its mere surface features. Here civilized man has barely commenced seeking a home, and those best acquainted with our Territory are but

very indifferently informed on this subject. Travellers, traders and trappers have taken but a surface glance over the vast domain included within our Territorial limits. The pioneer settler is satisfied with the country as being one of unsurpassed fertility, as being unrivalled in the numberless perfectly accessible perennial springs of pure water, which abound all over its surface, and which flow away in rivulet and brook, to the large rivers traversing its interior, and environing its borders.

His almost certain inquiry is, have we any equivalent for lack of heavy forest. Groves dotting the undulating prairies far away, render the landscape beautiful to his view—but this fact furnishes but a partial reply to his inquiry. We must point to the mineral kingdom for reply. We find wealth in the mineral as well as the vegetable product. In this respect the coal mine may outrival the forest—may completely do away with the objection that dense forests are indispensable in calling out and quickening energy and enterprise, in agriculture and the mechanic arts. For heavy forest we do find a complete equivalent in the vast coal beds which lie embosomed in our beautiful Territory.

Enough has been ascertained already by the observation and researches of the squatter citizen to satisfy the incredulous, that we have coal enough for empires, and to spare. This mineral wealth has presented itself in numerous openings throughout the whole extent of the valley of the Nemaha rivers, and on either side of the Platte from its mouth to its far distant source.

There is no portion of our Territory yet explored by the settler which does not possess ample quarries of choice and durable building rock, from many of which samples have been taken, admitting a polish approaching that of marble. We have also had credible information from residents of Burt county that extensive quaries of red marble have been found in that county, which admits of a beautiful polish. Red sandstone also exists in the same vicinity, which is worked from the quarry with great facility, and which on coming in contact with the atmosphere becomes so hard as to render it an excellent and durable building material. Granite is said to exist also in the more northern counties. Trappers of intelligence assert that large specimens of almost pure copper ore, easily obtained, may be procured some seventy or eighty miles west of the more northern counties. Salines existing in the vicinity of Salt Creek and the Blues are said to be of sufficient strength to sustain extensive and profitable works. Trappers have brought into settlements from near this vicinity, specimens of rock salt in samples sufficiently large, and of quality pure enough to justify the opinion that this great staple may yet be mined in ample quantities in our own territory without being subjected to freight and charges incurred in carrying this commodity from Turks island.

We have thus briefly adverted to the mineral wealth of the Territory as presented in the absence of any minute research. By bringing method to bear upon this subject as recommended by the Executive much may be gained in the way of aiding science in the complete developement of our mineral resources. We therefore recommend the passage of the following bill: (C. F. No 59.)

Mr. Folsom, from the committee of ways and means, to whom was referred the resolution relating to the per diem of the chaplain, reported back joint resolution as a substitute, C. F. No 57, and recommended its passage.

Mr. Bennet, from the committee on enrollments, to whom was referred C. F. No 41—50, reported back the same as correctly engrossed.

Mr. Richardson, from the committee on the judiciary, reported back C. F. No 58, a bill regulating marriages, and recommended its passage.

Mr. Sharp, on leave, introduced C. F. No 59, a bill for an act to incorporate the Nebraska hydraulic and milling company.

Which was read the first time.

Message from the House.

Mr. PRESIDENT: I have to inform you that the House of Representatives have passed the following bills, in which the Council is respectfully requested to concur:

H. F. No 13, a substitute to H. F. No 4 and 13, an act to define the boundaries of Washington county, and locate the seat of justice thereof.

H. F. No 11, an act defining the boundaries and establishing the seat of justice of Dodge county.

H. F. No 22, a substitute—which is—an act to define the boundaries and locate the seat of justice of Omaha county.

H. F. No 43, an act to define the boundaries of Loup county, and establishing the seat of justice therein.

H. F. No 44, an act regulating stallions and jacks.

H. F. No 49, an act in relation to divorce and alimony.

H. F. No 51, an act to define the boundaries and locate the seat of justice of Burt county.

I also return to you C. F. No 36, a bill to incorporate the Council Bluffs and Nebraska ferry company, the same having passed the House without amendment.

J. W. PADDOCK, Chief Clerk.

C. F. No 40, was taken up, a bill to define the boundaries and locate the seat of justice of Burt county.

On motion of Mr. Folsom,

Said bill was laid upon the table.

C. F. No 53, was taken up, joint resolution relative to the appointment of commissioners for preparing laws, read a second time, and

On motion of Mr. Bennet,

Referred to the committee of the whole, and made the special order for Friday next.

C. F. No 23, was taken up, a substitute for a bill defining the boundaries of counties herein named, and other purposes.

On motion of Mr. Bennet,

Said bill was referred to the committee of the whole, and made the special order for Thursday next.

C. F. No 41, was taken up, a bill to incorporate the Nebraska city steam mill company, read a third time, passed and title agreed to.

H. F. No 23, was taken up, a bill to authorise Wm. Corfield to keep a ferry on the Missouri river at the town of Rock Bluffs in the county of Cass.

On motion of Mr. Richardson,

Referred to the committee on incorporations.

C. F. No 50, was taken up, an act to incorporate the Nebraska stock company, read a third time, passed, and title agreed to.

C. F. No 24, was taken up, a bill to incorporate Nebraska city.

Upon the consideration of which

The Council resolved itself into committee of the whole, Mr. Rogers in the chair.

After some time spent therein, the committee rose, and, by their chairman, reported progress, and asked leave to sit again.

Mr. Bennet offered the following resolution:

*Resolved*, That the committee on elections be instructed to inquire into the expediency of passing a general election law, and report to-morrow by bill or otherwise.

Laid over under the rule.

Mr. Cowles offered the following resolution:

*Resolved*, That the committee on finance, ways and means be instructed to

enquire into the propiety of enacting a general revenue law, and report by bill or otherwise on to-morrow.

Laid over under the rule.

Mr. Bradford offered the following resolution:

*Resolved*, That the committee on incorporations be instructed to enquire into the expediency of passing a general law in reference to incorporations, and report by bill or otherwise on to-morrow, or at their earliest convenience.

Laid over under the rule.

Mr. Folsom offered the following:

*Resolved*, That the committee on roads and highways be instructed to enquire into the expediency of passing a general road law, and report on to-morrow, by bill or otherwise.

Laid over under the rule.

Mr. Clark gave notice of a bill to establish a ferry across the Missouri river at Mount Vernon.

On motion of Mr. Clark,

The Council took a recess till 2 o'clock, P. M.

AFTERNOON SESSION.

On motion of Mr. Jones,

The Council resolved itself into a committee of the whole, resuming the consideration of the bill to incorporate Nebraska city, Mr. Rogers in the chair.

After some time spent therein,

The committee arose and reported progress, by their chairman, asking leave to sit again.

On motion of Mr. Clark,

The Council went into Executive session. After some time spent therein,

The Council resumed the business of the session.

C. F. No 58, a bill regulation marriages was taken up, and ordered to be printed.

C. F. No 59, taken up, a bill authorizing the Secretary of the Territory to establish a territorial cabinet, and the printing dispensed with.

C. F. No 56, was taken up, report from the committee on territorial library, and ordered printed.

On motion the Council adjourned.

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THURSDAY, FEBRUARY, 15, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Jones gave notice of a bill to define the boundaries of Dakotah county and locate the seat of justice thereof.

Mr. Clark gave notice of a bill to incorporate the Nebraska medical society.

Mr. Nuckolls gave notice of a bill to incorporate the town of Decatur.

Mr. Clark introduced the following joint resolution, which was read the first time:

*Resolved*, By the Council and House of Representatives, That A. J. Poppleton, Samuel E. Rogers and Wm. N. Byers be appointed commissioners to locate the site for the county buildings in Omaha city for the county of Omaha.

Mr. Bennet offered the following resolution;

*Resolved,* That we instruct the Chief Clerk to procure all the petitions as are before the House of Representatives, relating to applications for ferry charters at Nebraska city.

Laid over under the rule.

Mr. Clark, from the committee on Incorporations, to whom was referred H. No. 23, An act authorizing William Corfield to keep a ferry on the Missouri river at the town of Rock Bluffs, in the county of Cass, reported back the same without amendment, and recommended its passage.

H. F. No. 13, was taken up, and

On motion of Mr. Clark, passed to a second reading.

Mr. Rogers moved to amend by striking out Ft. Calhoun, and inserting De-Soto.

On which motion the ayes and nays were ordered, and resulted as follows.

Ayes—Messrs. Rogers and Sharp—2.

Nays—Messrs. Bennett, Bradford, Clark, Folsom, Goodwill, Jones, Mitchell, Nuckolls, Richardson—9.

Mr. Brown absent, and Mr. Cowles being excused from voting, the amendment was lost.

Said bill was read a third time, passed and title agreed to.

H. F. No. 11, was taken up, an act defining the boundaries and establishing the seat of justice of Dodge county.

On motion of Mr. Clark, passed to a second reading and referred to the committee on counties and county seats.

H. F. No. 22, was taken from the table an act to define the boundaries, and locate the seat of justice of Omaha county.

On motion of Mr. Jones, passed to a second reading and referred to the committee on counties and county seats.

H. F. No. 44, was taken from the table, an act regulating stallions and jacks, and read the first time.

H. F. No. 49, was taken up and read the first time, an act in relation to divorces and alimony.

Message from the House.

Mr. President: I have to inform you that the House of Representatives has passed H. F. No. 1, An act to authorize John B. Boulware to keep a ferry on the Missouri river at Nebraska city, in which the concurrence of the Council is respectfully requested.

J. W. PADDOCK, Chief Clerk.

H. F. No. 51, was taken up, an act to define the boundaries and locate the seat of justice of Burt county, which,

On motion of Mr. Clark, passed to a second reading by its title.

Mr. Folsom offered the following amendment—"at the north-east corner of the county of Washington, in the center of the Missouri river, running thence up said river and in the centre of its deepest channel to a point in the center of said river thirty miles northerly from the north line of said county of Washington, thence running west eighteen miles, thence running south thirty, thence east to the north-west corner of the county of Washington, thence east of the north line of said county to the place of beginning," which amendment was adopted.

Referred to the committee on counties and county boundaries.

H. F. No. 43, was taken up, an act defining the bonndaries of Loup county, and establishing the seat of justice therein.

On motion of Mr. Clark, passed to a second reading.

Referred to the committee on counties and county seats.

C. F. No. 57, was taken up, joint resolution relating to the per diem of the Chaplain, and

On motion of Mr. Goodwill, read a third time, passed and title agreed to.

C. F. No 59, was taken up, a bill for an act to incorporate the Nemaha Hydraulic and Milling Company, read a second time and referred to the committee on Incorporations.

C. F. No 63, a resolution instructing the committee on elections to inquire into the expediency of passing a general election law, was taken up and adopted.

C. F. No. 64, a resolution instructing the committee on Finance, Ways and Means, to inquire into the propriety of enacting a general revenue law, was taken up and adopted, with the following amendment offered by Mr. Richardson: Striking out "on to-morrow," and inserting "at their earliest convenience."

C. F. No 65, A resolution instructing the committee on Incorporations to inquire into the expediency of passing a general law in reference to Incorporations, was taken up and adopted.

C. F. No 66, A resolution instructing the committee on highways and bridges to inquire into the expediency of passing a general road law, was taken up and adopted with the following amendments, offered

By Mr. Goodwill, to strike out "on to-morrow," and insert "at their earliest convenience."

Mr. Clark, from the committee on Incorporations, to whom was referred H. F. No. 51, An act to define the boundaries and locate the seat of justice of Burt county. reported back the same as amended, and recommended its passage.

C. F, No. 24, was taken up a bill to incorporate Nebraska city.

On motion of Mr. Bennet,

The Council went into committee of the Whole upon the consideration of said bill, Mr. Rogers in the Chair.

After some time spent therein, the committee arose, and by their Chairman reported back the bill with various amendments, and recommended its passage as amended.

Said bill was ordered to be engrossed and read a third time to-morrow.

On motion, the Council took a recess till 2 o'clock P. M.

AFTERNOON SESSION.

C. F. No. 23, was taken up a bill defining the boundaries of counties therein named and for other purposes.

On motion of Mr. Jones,

The Council went into committee of the Whole on the consideration of said bill.

After some time spent therein, the committee arose, and by their Chairman reported progress, and asked leave to sit again.

H. F. No. 16, was taken up, substitute for H. F. No. 16, a bill relative to claims on public lands.

On motion, the Council went into committee of the Whole on the consideration of said bill, Mr. Richardson in the Chair.

After some time spent therein, the committee arose, and by their Chairman reported progress, and asked leave to sit again.

Mr. Clark, on leave introduced the following resolution:

*Resolved*, That B. Y. Shelly, of the Territory of Nebraska, be allowed the pay of members of this body for the time he has beeen contestor for a seat in the Council—(20 days.)

Laid over under the rule.

On motion, the Council adjourned.

FRIDAY FEBRUARY 16th, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Chaplain.

Notices of the following bills were given:

By Mr. Mitchell, a bill for an act defining the boundaries of Sioux county.

By Mr. Brown, a bill for an act to establish a territorial road from Omaha city to new Fort Kearney.

By Mr. Jones, a bill for an act granting to Jacob Pate, Green Cooper and their associates the privilege of keeping a ferry at the mouth of the Soldier river.

Also, a bill for an act supplemental to an act locating the Capitol of this Territory at Omaha city.

Mr. Jones, from the committee on counties and county seats, reported back H. F. No 29, a bill for an act defining the duties of county surveyors, with various amendments, and recommended its passage as amended.

Mr. Bennet, from the committee on enrollments, to whom it was referred, reported back C. F. No 24 as correctly enrolled.

Mr. Clark, from the committee on incorporations, to whom was referred C. F. No 52, a bill to authorize Stephen Cass and others to keep a ferry on Platte river.

C. F. No 59, a bill for an act to incorporate the Nemaha hydraulic and milling company.

C. F. No 63, a bill for an act to incorporate the saline manufacturing company.

Reported back the same with amendments to C. F. No 52, and a substitute for C. F. No 63, recommending their passage.

Mr. Clark also submitted the followiug report upon the subject of the Platte Valley and Pacific Road.

The committee on Corporations to whom was referred the bill chartering the "Platte Valley and Pacific Railroad Company," submit the following

REPORT:

It is generally conceded that the portion of the Territory of Nebraska which will first seek organization as a state, is that which lies between the parallels of 40° and 43°, extending west to the Rocky Mountains. Through this territory the great Platte river runs east and west, dividing the country almost equally. Rising in the Rocky Mountains near the noted passes known as the "South Pass" and "Bridger's Pass," it flows through a broad valley, in a direct east course for a thousand miles, falling into the Missouri a few miles below the present location of the Capitol, which is situated in about 41° 25' north latitude.

The valley of the Platte is well known in the west, it being the great highway through which nine tenths of the overland emigration passes, *enroute* for the Pacific. Those coming by St. Louis travel by water up the Missouri to Independence, Weston, St. Joseph, Council Bluffs, and occasionally to Sargeant's Bluffs; and uniting at these points with those who come by land from the east, pursue their way westward by converging lines that unite in the Platte Valley, at various points within two hundred miles, a little north of a due west line from the cities of Omaha, Belleview and Florence, in our infant Territory.

Although roads can be easily constructed over the rolling prairies of the west, yet it is only upon the valley of the Platte, after passing the great bend 18 miles west of Omaha, Belleview and Florence, that a straight, level and solid road-bed can be found, which leads in the direct line of commerce east

and west for near a thousand miles. This peculiar fitness, would of itself be sufficient to attract all travel, and railroad enterprize, that might come within a hundred miles of the Platte; but there are other influences outside of the valley, that tend to throw the migration through the center of Nebraska. The great channel of the St. Lawrence and the lakes, extended by railroads and common roads through Chicago, Iowa city, Fort Desmoines, (the capital of Iowa by a recent act of the General Assembly,) and Council Bluffs, the frontier city of Iowa, and the great daily mail running in four horse coaches, all tend to bring travel to the valley of the Platte. Several great lines of railroad south of these lakes, and all the leading roads which extend them thro' Iowa, converge towards Council Bluffs, directly east of the great line of the Platte Valley. The greatest states, the largest cities, the most dense portion of our Union are directly east, and near this parallel of 41°, and it is therefore natural that those elements should flow through the centre of Nebraska.

But another great advantage of the Platte Valley, is the convenience it offers to branches westward. It leads to those great mountain passes, which are the gate-ways to Utah, California, Oregon and Washington. It is the best route, and the adopted road to all these states and territories; and it is believed by your committee, some of whom have been through these routes, and for years intimate with those who traverse the mountains, that it is the Platte Valley ALONE that affords to all those western divisions any natural and easy *common way*, which will commingle their travel with that of the eastern states.

There are still other attractions which lead emigration through this channel. Starting from this more westerly point on the Missouri, there is less of land travel than any other route affords. There is a better connected line of good water, wood, stone coal, soil and grass, than can be found on any other route; and it is far more inhabited, passing as we may through the valley of the great Salt Lake, Carson Valley, and the tributaries of the Sacramento. This route lies also in a zone of the earth's surface where the greatest variety of useful articles can be produced; where men are capable of the greatest amount of endurance and where the greatest amount of population and wealth are most likely to accumulate.

Although the Platte valley offers such pre-eminent advantages, and has for years been adopted as the natural emigrant route across this continent, yet it cannot be denied that other routes from east to west have their attractions, and that for years past commercial, financial, and political efforts have been exhausted to direct and establish the trade and travel thro' other channels. Millions have been expended annually in transports around Cape Horn, and through Central America. Extensive surveys have been made to find routes for railroads—far south and north—routes which a distinguished Senator has recently shown are far more convenient to Mexico and Canada, than to the United States. Southern conventions have been held, and earnest efforts made to secure a route through by El Passo, and much has been said and done to direct public attention to a route leading southwest from St. Louis. But, relying on the wisdom and prudence of our government, and discerning scrutiny which characterises those engaged in commerce and railroad enterprizes, your committee confidently believe that the great emigrant route by the Platte valley will ultimately, not only retain its pre-eminence as the overland route, but absorb the business that now travels thousands of miles around a southern continent, instead of passing directly across our own country. This your committee believe will be effected by the construction of a Pacific railroad. The substitution of locomotives, or *land-steamers*, that will run through and assist to develope and enrich our common country, for *ocean-steamers*, that are now erected mainly

at our expeuse, and sent off to enrich other parts of the world, is the only remedy that will secure our common interests. Thirty years ago Colonel Leavenworth, who then commanded a post in sight of this locality, called the attention of our government to the importance, practicability, and expediency of constructing a railroad, by way of the Platte valley to the Pacific. Subsequently, the Rev. J. Parker, J. Plumber, Col. Fremont, Mr. Whitney, Capt. Stansbury, and thousands of others at a still later period, have urged the expediency of adopting a railroad to the emigrant route, thereby connecting all parts of our republic.

But the importance of such a work is so manifest to all, and the consequent advantage which must result to the section of country through which such a road would pass, that a contest has arisen among states and cities to secure its location, and that contest has for years paralized all government effort, and retarded the progress and success of private enterprize. Engineers compute the distance from this navigable point of the Missouri to Sacramento city, a navigable point on the Sacramento river, at 1800 miles. At least one thousand miles of this would be on the vallies of the Platte and Humbolt, where it is generally conceded, at least by those conversant with the route in question, that the natural grade can hardly be improved. Much of the remaining 800 miles would be on the valley of the Sweet Water, Bear River, and other easy grades, leaving not over four hundred miles of what may be deemed heavy work. Most of this would be in California and Utah, where the present inhabitants would be able and ready to execute their proper sections of the work. The state of Illinois has constructed railroads about equal in length to this Pacific road within the last two years; and the aid of the General Government and the application of state and private means in the consummation of so great a work has not been felt by the community.

Most of the Pacific road could be graded more easily than any of the roads of Illinois, and the worst sections do not present obstacles of serious moment to those engineers who have explored or ascertained the character of the country. Similar aid extended to Nebraska, Utah and California, would enable them to do on the Pacific line, what Illinois has done on various lines, and without regard to other projects, the old emigrant route, by the Platte thro' the centre of Nebraska, would become the highway of nations.

The completion of a line of railroads to Council Bluffs on the opposite side of the Missouri, is a matter so self evident, that your committee have not deemed it necessary to advert to that section. Four companies are organized, four lines have been surveyed through Iowa to that point, and the Lyons road, Rock Island road, Airline road and Burlington road, are all contending for an early connection with that point in western Iowa. It is the desire of your committee, and doubtless of the entire population of our Territory, to secure their united efforts in carrying a great trunk line up the valley of the Platte, thereby securing to all of them a share of the Pacific road, and to Nebraska a trunk that will expand into a thousand branches.

With this view, and in consideration of our remoteness from the wealth and influence of the Atlantic states, and our financial inability to carry forward, in the morning of our Territorial existence, a great, though practicable project, your committee have deemed it expedient to present a trunk line, with a liberal charter, in order to encourage capitalists to invest their means, and proceed with such a work at the earliest possible period. Your committee do this not only to supply Nebraska with an early railroad connection, but to protect her against powerful efforts which are being made to divert from her the travel which now comes through her great natural artery, and also to secure that great national highway that will revolutionize the commerce of the world. If

then by the adoption of liberal measures. and extending to capitalists the strongest inducements to invest their means, we succeed in accomplishing this great result, we will secure to Nebraska an advantage that she cannot hope otherwise to acquire.

Some idea of the importance of an overland national channel of commerce can be formed by inserting here some estimates of the business of this route. The Hon. McDougal, in a speech made in Congress on the 2d of May last, stated that 443 merchant vessels had arrived in one year (1853) at San Francisco, carrying 423,230 tons, at $30 per ton, costing for its transportation,

| | |
|---|---|
| | $12,696,900 |
| Insurance on $100,000,000, the value of this merchandize, at 4 per cent. | 4,000,000 |
| Losses on merchandize not included as above, | 7,000,000 |
| Interest on capital, | 5,000,000 |
| 110 passengers, at an average of $250 each, with $2 per day for 40 days, the time of transit, | 36,300,000 |
| Transportation of mails, and naval and military stores, | 3,739,000 |
| Freights crossing the Isthmus, | 3,050,000 |
| Total for one year, | $71,785,900 |
| This only shows a partial statement, because it only takes note of the merchandize which goes to San Francisco. Therefore add merchandize transportation to other ports of California and Oregon, say $\frac{1}{3}$ of 27,696,000, that which goes to San Francisco, | 9,232,000 |
| Isthmus freight on same, | 1,000,000 |
| Transportation of many of these articles from western states to N. Y. estimated 200,000 tons at $6 dollars per ton, | 12,000,000 |
| Travel of passengers and expense in New York, $30 each, | 3,300 |
| Annual cost to the United States, | $83,221,000 |
| This is mainly the business of this country, that passes from the east to the west side of the republic. There is the trade of our country, and all Europe, with India. Who can compute that? It is reasonable to suppose that good railroad facilities across this continent, would secure more than half of the above items, amounting then to | $41,610,600 |
| Add for increrse which a railroad would naturally create—50 per cent. | 20,805,300 |
| Add local business that would come to the line, and equal the through, | 62,415,900 |
| | $124,831,800 |

To this add whatever may be drawn from the commerce of the world, and the apparent business of the road would be greater than one single trunk road can do—not less than two hundred millions per annum. Like all the great east and west lines, it will immediately require doubling, and will produce a large profit on the cost.

This gross income could only be secured after several years of business; but it is easy to see that the vast amount of trade and travel, which does not follow the tedious route by ocean. would immediately pass through this new, safe, and speedy channel of commerce. The millions of Europe would be brought into contact with the hundreds of millions of Asia, and their line for quick transit would be, to a great extent, across our continent. Their mails, their ministers, their most costly and interesting travel and trade, would take this route, and augment our business and multiply our resources.

In view of the compartive cost, to the wonderful changes that will result, your committee cannot believe the period remote when this work will be accomplished; and with liberal encouragement to capital, which your committee are disposed to grant, it is their belief that before fifteen years have transpired, the route to India will be opened, and the way across this continent will be the *common way* of the world. Entertaining these views, your committee report the bill for the Platte Valley and Pacific Railroad, feeling assured that it will become not only a basis for branches within Nebraska, but for surrounding states and territories.

M. H. CLARK,
Chairman of the Committee on Corporations.

Message from the House.

Mr. PRESIDENT: I have to inform you that the House of Representatives have passed the following bills, and the concurrence of the Council is respectfully requested therein:

H. F. No 18, a substitute, being an act to define the boundaries and locate the seat of justice of Otoe county.

H. F. No 32, an act granting to B. Y. Shelly and others the right of ferry at Black Bird City, in the county of Burt.

H. F. No 56, an act to exempt a homestead from forced sale.

H. F. No 58, an act to authorize W. A. Finney to keep a ferry across the little Nemaha river.

H. F. No 59, an act to create Pawnee county, and locate the seat of justice therein.

H. F. No 61, an act to define the boundaries and locate the seat of justice of Clay county.

H. F. No 62, an act regulating the admission of attorneys.

I have also to inform you that the House have passed without amendment,

C. F. No 11, an act to establish a ferry at Iron Bluffs, and

C. F. No 9, an act to establish a ferry across the Elkhorn at the mouth of Belle creek.

I have to inform you further that the House has passed a substitute to C. F. No 2, being a bill to incorporate the Plattsmouth ferry company.

I herewith return H. F. No 42, an act authorizing H. C. Purple and others to keep a ferry at Tekamah, for the signature of the President of the Council, the same having received the signature of the Speaker of the House of Representatives.

J. W. PADDOCK, Chief Clerk.

Mr. Jones, from the committee on counties and county seats, to whom was referred H. F. No 11, an act defining the boundaries and establishing the seat of justice of Dodge county, reported back the same without amendment, and recommended its passage.

Mr. Nuckolls, from the select committee to whom was referred H. F. No 26, an act to define the boundaries and locate the county seat of Cass county, Nebraska Territory, reported back the same with an amendment, and recommended its passage, submitted the following

REPORT:

Your committee to whom was referred H. F. No 26, a bill locating the seat of justice of Cass county, and defining the boundaries thereof, have had the same under consideration, beg leave to make the following report:

Your committee, after a full and careful investigation of the situation, location and facilities of building up a town at Rock Bluff, and taking all things into consideration between the two rival points, viz: Rock Bluff and Plattsmouth, are of the opinion that Plattsmouth is the most prominent point in the county for the seat of justice.

1st. It being the best location in the county.

2d. It being the place where we believe a majority of the people of the county want its location.

3d. Its natural advantages in ferrying and landing privileges are superior to any other point in the county.

4th. The advantages to be derived in getting to and from the river are superior to any other point on the river.

They would therefore recommend as an amendment that Rock Bluff be struck out and Plattsmouth be inserted.

And they would further recommend that the boundaries of said county be as follows:

Beginning at a point in the middle of the main channel of Missouri river, one and a half mile north of the mouth of Weeping Water—thence west twenty-four miles—thence north to the Platte river—thence down the middle of the main channel of said river to the middle of the main channel of Missouri river, thence down said river to the place of beginning.

L. NUCKOLLS, Chairman.

Mr. Bennet, from the committee on enrollments, to whom was referred C. F. Nos. 1 and 4, reported back the same as correctly enrolled.

Mr. Jones, from the committee on counties and county seats, to whom was referred H. F. No 22, an act to define the boundaries and locate the seat of justice of Omaha county, reported back the same with amendments, and recommend its passage as amended.

Mr. Richardson, from the committee on judiciary, reported a bill relating to courts and their jurisdiction, C. F. No 68, and recommended its passage.

C. F. No 2, was taken up, a substitute for an act to incorporate the Plattsmouth ferry company, read a third time, passed, and title agreed to.

C. F. No 60, a bill authorizing the Secretary of the Territory to establish a teroitorial cabinet, was taken up, and

On motion of Mr. Rogers,

Passed to a second reading, and was ordered to be engrossed for a third reading.

H. F. No 18, was taken up, a substitute for an act to define the boundaries and locate the seat of justice of Otoe county.

On motion of Mr. Rogers,

Passed to a second reading, and referred to the committee on counties and county seats.

H. F. No 32, was taken up, a bill granting to B. Y. Shelly, Addison Cochrane, J. P. Cassady and associates, the right to keep a ferry at Blackbird city, in the present county of Burt, and

On motion of Mr. Goodwill,

Passed to a second reading, and referred to the committee on incorporations.

H. F. No 56, was taken up, an act to exempt a homestead from forced sale.

Mr. Mitchell moved to lay the bill on the table.

On which motion

The ayes and nays were ordered and resulted as follows:

Ayes—Messrs Brown, Clark, Cowles, Mitchell, Nuckolls and Richardson—6.

Nays——Messrs. Bennet, Bradford, Folsom, Goodwill, Jones Rogers and Sharp—7.

So the motion was lost.

Mr. Clark moved to postpone the further consideration of the bill until the 17th day of March next.

On which motion the ayes and nays were ordered and resulted as follows:

Ayes—Bennet, Bradford, Brown, Cowles, Clark, Mitchell and Nuckolls—7.

Nays—Folsom, Goodwill, Jones, Rogers, Richardson and Sharp—6.

So the motion to postpone was agreed to.

H. F. No 58, was taken up, a bill to authorize W. A. Finney to establish and keep a ferry across the little Nemaha river, in Forney county.

On motion of Mr. Cowles,

Passed to a second reading, and referred to the committee on incorporations.

C. F. No 59, was taken up, an act to create Pawnee county, and locate the seat of justice thereof.

Read a fist time.

H. F. No 61, was taken up, a bill to define the boundaries and locate the seat of justice of Clay county,

On motion of Mr. Nuckolls,

Passed to a second reading, and referred to the committee on counties and county seats.

H. F. No 1, was taken up, a bill to authorize John B. Boulware to keep a ferry on the Missouri river at Nebraska city.

On motion of Mr. Clark,

Passed to a second reading.

Mr. Bennet moved to amend by striking out J. B. Boulware and inserting Wm. B. Hale.

Mr. Goodwill moved to refer the bill to the committee on incorporations.

On which motion the ayes and nays were ordered, and resulted as follows:

Ayes—Brown, Clark, Folsom, Goodwill, Mitchell and Richardson—6.

Nays—Bennet, Bradford, Cowles, Jones, Nuckolls, Rogers and Sharp—7.

So the motion was lost.

Mr. Sharp moved to reconsider the vote.

H. F. No 62, was laken up, an act regulating the admission of attorneys.

Which was read the first time.

C. F. No 61, was taken up, joint resolution appointing commissioners to locate county buildings.

Read a second time, and referred to the committee on counties and county seats.

Mr. Richardson, on leave, offered the following resolution:

*Resolved*, That the committee on counties and county seats and townships, be instructed to enquire into the expediency of so legislating upon the subject of laying off and defining the boundaries of new counties and establishing county seats, as to confine legislation to those counties which have a population sufficient for organization.

Laid over under the rule.

H. F. No 49, was taken up, a bill for an act in relation to divorce and alimony.

Read a second time, and referred to the committee on judiciary.

H. F. No 44, was taken up a bill relating to stallions and jacks.

Read a second time, and referred to the committee on agriculture and manufactures.

On motion of Mr. Bennet,

The Council took a recess till 2 o'clock P. M.

AFTERNOON SESSION.

Mr. Bennet, from the committee on enrollments, to whom was referred C. F. Nos. 2, 5, 9, 11 and 36, reported back the same as correctly enrolled.

Mr. Clark, from the committee on incorporations, to whom was referred C. F. No 1, memorial and resolution to incorporate the Missouri river and Platte Valley railroad company, reported back the same without amendment, recommending its passage.

Mr. Folsom, on leave, introduced C. F. No –, a bill relating to corporations for pecuniary profit.

Passed to a second reading, and was referred to the committee on incorporations.

Message from the House:

MR. PRESIDENT—I have to inform you that the House of Representatives has passed without amendment. C. F. Nos 12, 13, 14, 15, 18, 19, 22, 33, 42.

I have also to inform you that the House has passed with the following amendment, to be annexed to Sec. 4.

C. F. No 26, a bill establishing the office of register of deeds, and relating to the conveyance of real estate, provided that such deed or instrument shall be valid between the parties.

I have to inform you further that the House has passed,

H. F. No 63, an act to authorize Edward P. Stone and others, to keep a ferry at Dakota, in which it asks concurrence on the part of the Council.

I herewith return an act relating to the style of the laws. Also,

Preamble and joint resolution relating to the homestead bill, the same having received the signature of the Speaker of the House of Representatives.

J. W. PADDOCK, Chief Clerk.

The resolution instructing the chief clerk to procure petitions before the House of Representatives relative to granting a charter to Mr. Boulware, at Nebraska City, was taken up and adopted.

Also, the resolution instructing the chief clerk to wait upon the Secretary of the Territory, and obtain from him the late census and election returns.

Which was adopted.

C. F. No 24, was taken up, a bill for an act to incorporate Nebraska City.

Read a third time, passed, and the title agreed to

H. F. No 51, was taken up, a bill for an act to define the bounaaries and locate the seat of justice of Burt county.

Said bill was ordered to be engrossed for a third reading.

H. F. No 23, was taken up, a bill granting a charter to Wm. Corfield.

Read a third time, and

On motion of Mr. Bennet,

Referred to the committee on judiciary.

The Council resolved into committee of the whole on the special order of the day, Mr. Richardson in the chair, and

H. F. No 16, was taken up, a substitute for a bill relative to claims on public lands.

After some time spent therein,

The committtee arose, and by their chairman reported back the bill with various amendments, recommending its passage as amended.

C. F. No 23, was taken up, a bill for an act defining the boundaries of counties therein named, and other purposes.

On which the Council resolved itself into committee of the whole.

After some time spent therein, the committee arose, and by their chairman reported progress, and asked leave to sit again.

Messrs. Bennet, Nuckolls and Mitchell asked and obtained leave of absence till Monday morning.

On motion of Mr. Richardson,

The Council adjourned.

SATURDAY, FEB. 17th, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the chaplain.

Mr. Brown presented the petition of I. Edwards and others, praying for the passage of a claim law.

On motion of Mr. Richardson,

Referred to the committee of the Whole.

Mr. Bradford offered the following resolution.

*Resolved*, That the committee on county boundaries and county seats, be instructed to report to-morrow on the House bill establishing Ottoe county.

Laid over under the rule.

Mr. Clark, from the committee on Incorporations, to whom was referred, C. F. No. 31, An act to authorize Gideon Bennett to keep a ferry at Bennett's landing.

H. F. No. 32, An act granting to B. Y. Shelly, Addison Cochrane, J. P. Cassady and associate, to keep a ferry at Blackbird city, in the present county of Burt.

C. F. No. 65, An act to authorize J. R. Dye and Wm. McLennan to keep a ferry across the Missouri river.

Reported back the same without amendment, and recommend their passage.

Also C. F. No. 69, A bill relating to corporations for pecuniary profit, which your committee deem of vital importance, and hope it may be become a law at the earliest practicable period, thereby superseding the necessity, in the opinion of the committee, of special legislation, which should never be tolerated unless to secure the rights of persons and property, can be obtained in no other way, as has been the case in some instances this session; we earnestly hope that no further cases may arise calling for special legislation.

Mr. Brown introduced a bill, C. F. No. 70, for an act to establish a road from Omaha city to Fort Kearney.

Read a first time, and

On motion of Mr. Folsom, laid on the table.

Mr. Clark offered the following resolution:

*Resolved*, That the committee on county seats and townships, be requested to report back the bill organizing the county of Loupe and establishing the county seat of said county at Pawnee to-morrow.

Mr. Cowles, on leave gave notice of a bill to establish and locate a territorial road from Nebraska city to Fort Kearney.

Mr. Jones introduced a bill, C. F. No. 71, for an act to authorize Jacob Pat and others, to keep a ferry.

On motion of Mr. Folsom, laid on the table.

C. F. No. 26, a bill for an act establishing the office of Register of Deeds, and relating to the conveyance of real estate, as amended by the House of Representatives, was taken up, and

On motion of Mr. Richardson,

The Council concurred in the amendment, and the bill was passed and title agreed to.

H. F. No. 59, was taken up a bill for an act to create Pawnee county and locate the seat of justice thereof.

Read a second time, and referred to the committee on counties and county seats.

H. F. No. 62, was taken up a bill for an act regulating the admission of Attorneys.

Read a second time and referred to the committee on Judiciary.

Mr. Richardson's resolution instructing the committee on counties, county seats and townships to inquire into the expediency of legislating upon the subject of laying off and defining the boundaries of new counties, was taken up and adopted.

H. F. No. 16, was taken up substitute for a bill relative to claims on public lands.

On motion of Mr. Clark, postponed till Monday next.

The following bills were taken up, and the printing dispensed with:

C. F. No. 67, report of the committee to whom was referred H. F. No. 26, a bill for locating the seat of justice of Cass county.

C. F. No. 1, Memorial and resolution relating to the Missouri river and Platte Valley Railroad Company.

H. F. No. 29, An act defining the duties of county surveyors; was taken and ordered to a third reading for to-morrow.

H. F. No. 11, was taken up a bill defining the boundaries and establishing the seat of justice of Dodge county.

On motion of Mr. Clark, postponed till Monday next.

H. F. No. 22, was taken up a bill for an act to define the boundaries and locate the seat of justice of Omaha county.

Mr. Clark moved to amend by striking out "Omaha" and inserting "Douglas," wherever it occurs before county in said bill.

On which question the ayes and nays were ordered, and resulted as follows:

Ayes—*M*essrs. Bradford, Clark, Goodwill, Sharp—4.

Nays—*M*essrs. Brown, Folsom, Jones, Richardson, Rogers—5.

So the amendment was lost.

Mr. Clark moved to amend by locating the county seat at Bellevue.

On which question the ayes and nays were ordered, and the result was as follows:

Ayes—Messrs. Bradford, Clark, Cowles, Sharp—4.

Nays—Messrs. Brown, Folsom, Goodwill, Jones, Richardson, Rogers—6.

So the amendment was lost.

Mr. Clark moved that the further consideration of the bill be postponed till Tuesday next.

On which question the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bradford, Brown, Clark, Cowles, Sharp—5.

Nays—Messrs.Folsom, Goodwill, Jones, Richardson, Rogers—5.

So the motion to postpone was lost.

Mr. Clark moved that the Council now adjourn.

Mr. Richardson moved to lay the motion upon the table.

On which motion the ayes and nays were ordered with the following result:

Ayes—Messrs. Brown, Cowles, Folsom, Goodwill, Jones, Richardson, Rogers, Sharp—8.

Nays—Messrs. Bradford, Clark—2.

So the motion was lost.

On the question of ordering the bill to a third reading, the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Folsom, Goodwill, Jones, Richardson, Rogers—5.

Nays—Messrs. Bradford Brown, Cowles, Clark, Sharp—5.

So the question on reading a third time was lost.

C. F. No. 63, substitute for a bill to incorporate the Salt Creek Salt Manufacturing Company, was taken up.

Mr. Rogers moved to lay the bill upon the table,

On which motion the ayes and nays were ordered, and the result was as follows:

Ayes—Messrs. Goodwill, Rogers—2.

Nays—Messrs. Bradford, Brown, Clark, Cowles, Folsom, Jones, Richardson, Sharp—8

So the motion was lost.

Mr. Rogers moved to postpone the further consideration of the bill till the 14th day of March, which motion was lost.

Mr. Folsom moved to postpone till next Tuesday, which was agreed to.

H. F. No. 29, was taken up a bill defining the duties of county surveyors.

Ordered to a third reading for to-morrow.

C. F. No. 52, was taken up a bill to authorize Stephen Cass and others, to keep a ferry on Platte river.

On motion of Mr. Clark, ordered to a third reading for to-morrow.

C. F. No. 59, was taken up a bill for an act to incorporate the Nemaha hydraulic and milling company.

On motion of Mr. Goodwill, postponed till Tuesday next.

Mr. Goodwill from the committee on agriculture and manufactures, to whom was referred,

H. F. No. 44, A bill relating to stallions and jacks,

Reported back a substitute for the same, and recommended its passage.

Mr. Clark moved that the Council now adjourn, which motion was lost.

On motion, the Council took a recess till 2 o'clock P. M.

AFTERNOON SESSION.

Mr. Clark moved to reconsider the vote by which C. F. No. 70, was laid upon the table, which was agreed to.

Mr. Clark, on leave offered the following joint resolution:

*Resolved*, By the Council and House of Representatives of the Territory of Nebraska, That the boundaries and names of the several counties or districts of this Territory shall remain as described by the Acting Governor of this Territory, until the same are surveyed into townships by the proper U. S. surveyors.

Read a first time.

On motion of Mr. Clark,

The vote was reconsidered by which C. F. No. 71, was laid upon the table, a bill for an act to authorize Jacob Pate and Green Cooper and others, to keep a ferry.

On motion of Mr. Jones, said bill was read a second time.

On motion of Mr. Clark,

Referred to Messrs. Jones and Folsom, a select committee of two.

H. F. No. 31, was taken up, a bill to authorize Gideon Bennet to keep a ferry at Bennet's landing.

Read a third time, passed and title agreed to.

H. F. No. 32, was taken up a bill to authorize B. Y. Shelley, Addison Cochrane, J. P. Cassady and associates, to keeep a ferry at Blackbird city, in the present county of Burt.

Read a third time, passed and title agreed to.

H. F. No. 58, a bill to authorize W. A. Finney, to establish and keep a ferry across the Little Nemaha river in Forney county, was taken up, read a third time, passed and title agreed to.

C. F. No. 65, was taken up a bill to authorize J. R. Dye and Wm. McLennan to keep a ferry across the Missouri river.

On motion of Mr. Clark, postponed till Tuesday.

On motion of Mr. Sharp, the vote by which H. F. No. 22, was laid upon the table, was reconsidered.

Mr. Clark moved to amend by offering the following subject of Sec. 2.

The seat of justice of said county is hereby fixed at Bellevue, in said county.

The question being taken on the amendment, on a division, the motion was lost.

The question being taken on the bill being read a third time now,
The ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Folsom, Goodwill, Jones, Richardson, Rogers—5.

Nays—Messrs. Bradford, Brown, Clark, Cowles, Sharp—5.

So the question was lost.

The Council took up the special orders of the day, in committee of the Whole, Mr. Richardson in the Chair.

After some time spent therein, the committee arose, and by their Chairman reported back the petition of Isham Edwards and others, recommending it to lie on the table.

Also, H. F. No. 55, report of the committee on Judiciary in relation to the sole auctioneer for Douglas county.

Also, C. F. No. 54, a bill relating to divorces, with various amendments, recommending its passage as amended.

Said bill was ordered engrossed for a third reading to-morrow.

The committee asked and obtained leave to sit again.

On motion, the Council adjourned.

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MONDAY, February 19, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Mitchell, from the committee on Enrollments, to whom was referred H. F. No. 51, and C. F. No. 60, reported back the same as correctly engrossed.

Mr. Rogers, from the committee on Schools and Seminaries of learning, to whom was referred C. F. No. 61, H. F. No. 18, reported back the same as having been incorrectly referred, and asked that the committee be discharged from the further consideration of the said bills.

Also, C. F. No. 64, A bill for an act to incorporate the Nebraska Medical Society, and to prevent the sale of impure medicines, with the addition of a new section as an amendment, recommending its passage as amended.

Mr. Clark, from the committee on Incorporations, submitted the following report:

The committee on Incorporations were prevented by a meeting of the citizens of Omaha and others in the Council committee room, from holding a meeting Saturday evening last, we have a large amount of business before us, and hope for the future we may have the use of the room appropriated for committees unmolested, to enable us to perform the duties assigned to your committee.

M. H. CLARK,
B. R. FOLSOM,
L. NUCKOLS,
} Committee.

H. F. No. 63, was taken up an act to authorize Edward P. Stout and associates, to keep a ferry across the Missouri river at DeSoto.

Read the first time.

C. F. No. 72, was taken up and read a second time, joint resolution respecting organizing the counties in this Territory.

Mr. Clark moved to amend by inserting "which have not already been established by this Legislature," which was agreed to.

On motion of Mr. Folsom,

The resolution as amended, was referred to the committee on counties and county seats.

C. F. No. 70, was taken up and read a second time, a bill for an act to establish a road from Omaha city to Ft. Kearney.

Mr. Jones moved to amend by striking out the name of "A. D. Jones" in section 1st.

Mr. Richardson moved to amend the amendment by striking out all the names in said section, which was agreed to.

On motion of Mr. Richardson,

Said bill was referred to the committee on Highways and Bridges.

Mr. Brown moved to take up the business in the special order of the day.

Mr. Richardson moved to postpone the special orders of the day till Wednes-

Which motion, on a division was agreed to.

The following resolutions were taken up and disposed of as follows :

The resolution relating to the per diem of B. Y. Shelly as contestant for a seat in the Council was.

On motion of Mr. Clark, referred to the committee on Territorial Affairs.

The resolution instructing the committee on counties and county seats to report back the bill organizing the county of Loupe, was adopted with the following amendment offered by Mr. Richardson :

Strike out "to-morrow" and insert "on next Monday."

H. F. No. 16, C. F. No. 17, substitute for a bill relating to claims on public lands was taken up, and

On motion, postponed till to-morrow.

The resolution instructing the committee on counties and county seats, to report on to-morrow on the House bill, establishing Otoe county, was taken up and adopted, with the following amendment, offered by Mr. Rogers .

Strike out 'to-morrow,' and insert 'at their earliest convenience.'

On motion of Mr. Folsom,

The vote to postpone the consideration of the substitute for H. F. No. 16, and C. F. No. 17, was reconsidered.

Mr. Mitchell moved to amend the bill by adding the following substitute for sec. 5.

Two or more persons may hold undivided claims in conjunction, for the purpose of a town site or for any other purpose, provided that such claims do not amount to more than three hundred and twenty acres of land for each person, and provided further, that each three hundred and twenty acres shall be improved by having a good comfortable dwelling erected thereon within four months after the passage of this act, and if (prairie land,) at least twenty acres broken, fenced, and cultivated each year, until there shall be at least one hundred acres under cultivation on each said three hundred and twenty acres, which shall be occupied either by one of the joint claimants or by some good citizen for him.

On motion, the Council took a recess until 3 o'clock P. M.

AFTERNOON SESSION.

On motion, the Council adjourned.

TUESDAY, FEBRUARY 20, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Chaplain.

Message from the Secretary:

EXECUTIVE OFFICE,
TERRITORY OF NEBRASKA,
OMAHA CITY, FEB. 20, 1855.

To the Hon. the Council of the General Assembly of Nebraska:—I have the honor to inform you that his Excellency, M. W. Izard, Governor of this Territory, has arrived and entered upon the discharge of his duties.

Respectfully,
T. B. CUMMING, Sec'y of Nebraska.

A committee from the House were announced, consisting of Messrs. Latham, Poppleton and Johnson, who by their Chairman extended an invitation to the Council to meet the House of Representatives in joint convention, for the purpose of recieving Governor Izard and any communications he might have to make.

On motion of Mr. Richardson,

The Council proceeded in a body to the Hall of the House, and after a brief interval Gov. Izard appeared, accompanied by Acting Governor Cumming, who addressed him as follows:

GOVERNOR IZARD:—In the name of this Territory, its officers and its citizens, I cordially welcome you as the Chief Magistrate of Nebraska. We congratulate you and ourselves Sir, that after a long and toilsome journey, you have safely arrived to take the Executive charge of the affairs of this vast and noble portion of our happy and united republic.

We congratulate you and ourselves, Sir, that the blessings of prosperity and harmony, and the glory of great hopes for the future, are lighting up your path, which the vigorous arm of popular sovereignty has carved out, and upon which we have entered. We congratulate you, Sir, in our firm conviction that your official responsibilities and labors will be so met as to advance the great leading interests of the whole Territory, and deserve and recieve the calm approval of the country at large, and of the multitudes who will hereafter dwell within our borders. We feel assured, Sir, that a glorious destiny will result from that manifestation of the popular will which has already fixed the westward "march of empire;" and we rejoice in the assurance that you will hereafter occupy a prominent place among the benefactors of commerce, the promoters of patriotism and the friends of mankind.

Let me assure you, finally, that in your espousal of the cause of our permanent interest, whatever adversities may beset you, and whatever vicissitudes may occur, you will always meet with the warm and generous sympathy of true hearts, and the triumphant support of the great majority of the people. And now, in the fervent hope that your relations, social and political, may be as fortunate as you heart could wish. I herewith resign to you the Chair of the Governor of Nebraska.

Governor Izard replied as follows:

I return my sincere thanks to you, for the kind and complimentary manner in which you have recieved me. In the difficulties through which you have passed, and the embarrassments which you have unavoidably encountered in the organization of this now prosperous and growing Territory. I am conscious you had at heart the welfare of the whole Territory, I return to you my sincere thanks for the cordial welcome and friendly feelings with which you have recieved me.

In assuming the duties of Governor, it may be proper for me to indicate the course which I intend to pursue. I am fully conscious of the great responsibility resting upon me, and upon you, gentlemen of this first Legislative Assembly of the great Territory of Nebraska, in the establishment of laws for the government of a free and intelligent people.

Upon your action the prosperity of this Territory in a great measure depends. The destiny of this beautiful Territory is now in the hands of its sovereigns, and in the discharge of my official duties as your chief Executive, I shall endeavor to carry out the wishes of the national administration, and to meet the fondest hopes of this people. I desire that, with the blessings of Providence, every act of mine shall redound to the interest and prosperity of the whole Territory.

Much depends upon the course you will pursue in the faithful discharge of the responsible duties which devolve upon you. I see in the intellectual faces around me, abundant cause to hope, if equity and justice shall be your guide.

The enemies of the law for the organization of this Territory—the enemies of popular sovereignty, are looking with anxiety to taunt us with "breaking up in a row." Let wisdom and moderation govern all your actions. I feel that there is wisdom and integrity enough here to lay the foundation for a government, the blessings of which are soon to be enjoyed by a population unparalleled in the settlement of any country—a population which will vie in point of morals and intelligence with any country, new or old. We have the experience of those who have gone before us, let us profit by their example. Let us show to the world that we adhere to, and endorse the principles of popular sovereignty. Such privileges as we enjoy have never before been enjoyed by the people of any Territory. Let us show to Europe and America that we are worthy of the privileges guaranteed to us by our organic laws. Those inherent principles provide for the sovereignty of the people. It is my desire to aid and assist you, and you may expect my co-operation in the accomplishment of this grand object. Whatever suggestions from time to time I may make, I shall consult circumstances, but now, gentlemen, I can only say, that I am pleased to see the progress which has already been made.—Be assured that the eyes of the whole country are turned with interest and anxious solicitude upon you. It is expected of you to develope the rich resources and all that pertains to the interest and prosperity of our young and growing community. The administration and cabinet will all serve the interests of Nebraska, and all we have to do is, to act well our part, to let the eternal principles of popular sovereignty, of equality and of justice, be and remain triumphant. The most pleasing and flattering prospects are before us, let us then, rise above local jealousies and personal animosity, and adhere to the great principles of concession and conciliation, and an abundant harvest is in store for us.

The business of the Convention having been consummated, the members of the Council repaired in order to their Chamber.

Mr. Clark gave notice of a bill to organize Douglass county.

Mr. Mitchell, from the committee on Enrollments, to whom was referred C. F. No. 54, reported back the same as correctly engrossed.

Also, from the committee on Territorial Affairs, the joint resolution and memorial relating to the establishment of certain mail routes, reported back as a substitute for the same and recommended its passage.

Mr. Clark, from the committee on Incorporations, to whom was referred C. F. No. 4, the memorial of William McLellan, praying for a ferry charter at Nebraska city.

C. F. No 32, an act to authorize John Baldwin and associates, to keep a ferry across the Missouri river, reported back the same recommending their indefinite postponement.

Also, H. F. No 28, A bill to authorize Josiah Burget and his associates, to keep a ferry at Wyoming, and recommended its passage.

Also, H. F. No 53, an act to incorporate Rock Bluff city, recommending it to lie upon the table until the 4th of July, 1855.

Mr. Cowles introduced C. F. No 74, a bill to locate a Territorial road from Nebraska city to Ft. Kearney, which,

On motion of Mr. Nuckolls, passed to a second reading, and was referred to the committee on Highways and Bridges.

Mr. Clark introduced C. F. No 75, a bill for an act to incorporate the Grand Island Bridge Company, which,

On motion, passed to a second reading and was referred to the committee on Incorporations.

The following bills were taken up, passed and titles agreed to.

C. F. No 60, A bill authorizing the Secretary of the Territory to establish a Territorial Cabinet.

H. F. No 29, An act defining the duties of county surveyors.

C. F. No 51, was taken up an act to define the boundaries and locate the seat of justice of Burt county.

On motion of Mr. Folsom,

Re-committed to the committee on counties and county seats.

Message from the House :

MR. PRESIDENT ;—I have to inform you that the House of Representatives has passed H. F. No 57, Substitute "an act to define the boundaries and locate the seat of justice of Johnston county."

Also, H. F. No 36, An act to prohibit the firing of woods, marshes and prairies, in which the concurrence of the Council is respectfully requested.

I also return you H. F. No 13, Substitute an act to define the boundaries of Washington county, and locate the seat of justice therein, for the signature of the President of the Council, the same having recieved the signature of the Speaker of the House.

J. W. PADDOCK, Chief Clerk.

On motion, the Council adjourned.

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WEDNESDAY, FEBRUARY 21, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Bennet offered the following resolution :

*Resolved*, That a committee of three be appointed to prepare a memorial to Congress asking for an appropriation to erect a suitable monument to the memory of the late Governor Burt, and for a grant of lands in this Territory to his widow and heirs ; laid over under the rule.

Mr. Clark offered the following resolution :

*Resolved*, That F. E. Welsh be allowed four dollars per day for services as enrolling clerk ; laid over under the rule ; also,

The following :

*Resolved*, That J. Waldo Thompson, be allowed three dollars per day for services as messenger ; laid over under the rule.

Mr. Mitchell offered the following resolution:

*Resolved*, That we inquire after our Sergeant-at-arms, and if he has not a good excuse, that we discharge him and appoint another; laid over under the rule.

Mr. Clark from the committee on incorporations, to whom was referred

H. F. No 1, A bill to authorize John P. Boulware to keep a ferry across the Missouri river at Nebraska City, with the amendment and sundry petitions and remonstrances for and against said ferry charter, reported back the same recommending that they be considered in committee of the whole and made the special order for some future day.

Mr. Goodwill gave notice of a joint resolution memorializing Congress to grant a pension to the widow of the late Gov. Burt, and to build a monument to his memory.

Mr. Rogers from the committee on schools and seminaries of learning, to whom was referred,

H. F. No 17, An act to incorporate the Nebraska University, reported back the same without amendment and recommended its passage.

Mr. Jones from the committee on counties and county seats, to whom was referred the report relative to the organization of new counties, submitted the following report:

The committee to whom was referred a resolution relative to the organization of new counties, have had the same under consideration, and ask leave to make the following report:

That from the most reliable information they have been able to obtain from the various portions of the Territory respecting the settlement of the country, they are well satisfied that it is unnecessary at the present session to do any more than to define the boundaries of counties in the interior by township and range lines, and leave the location of the seats of justice to be located by commissioners appointed for that purpose under a general law of the Territory, whenever circumstances may require the same to be done.

Mr. Jones also reported back,

H. F. No 51, A bill to define the boundaries and locate the seat of justice of Burt county, with various amendments, and recommended its passage as amended.

H. F. No 36, was taken up, an act to prohibit the firing of woods, marshes and prairies.

On motion of Mr. Clark, passed to a second reading.

Mr. Folsom asked and obtained unanimous consent to take up,

H. F. No 51, A bill defining the boundaries and locating the county seat of Burt county.

Said bill was taken up, passed and title agreed to

H. F. No 63 was taken up, an act to authorize Edward P. Stout and associates to keep a ferry across the Missouri river at DeSoto,

Read a second time and referred to the committee on incorporations.

Mr. Jones, on leave, reported back,

C. F. No 17, A bill authorizing Jacob Pate, Green Cooper and associates to keep a ferry, from the select committee to whom it was referred, and recommended its passage.

H. F. No 11 was taken up, an act defining the boundaries and establishing the seat of justice of Dodge county.

Referred to the committee on counties and county seats.

C. F. No 59, A bill for an act to incorporate the Nemaha Hydraulic and Milling company, was taken up, passed and title agreed to.

C. F. No 63 was taken up, substitute for a bill to incorporate the Salt Manufacturing company, and passed.

Mr. Bennet moved to amend the title of the bill by striking out "salt" before "manufacturing," which was agreed to; the bill was passed as amended.

Message from the Executive by Mr. Izard :

Executive Department, February 21st, 1855.

To the Hon. President of the Council :—I am instructed to inform your Hon. body that the Governor has signed and approved the following bills and resolutions, viz :

An act to incorporate the Florence Bridge company.
" " " " " Belleview ferry and bridge company.
" " " " " Florence ferry company.
" " " " " Council Bluffs and Nebraska ferry company.
" " " " " Council Bluffs ferry and bridge company.

An act establishing the office of the Register of Deeds and relating to the conveyance of real estate.

Preamble and joint resolution upon the Homestead.

Joint resolution relative to the style of the Laws.

C. F. No 54 was taken up, a bill relating to divorces, read a third time, passed and title agreed to.

C. F. No 65 was taken up, an act to authorize J. R. Dye and William McLennan to keep a ferry across the Missouri river, postponed for the present.

C. F. No 3, a joint resolution and memorial for the establishment of certain mail routes therein named.

On motion of Mr. Clark,

Re-committed to the committee on Territorial Affairs.

C. F. No 4 was taken up, memorial of William McLennan asking for a ferry charter at Nebraska City ; laid on the table.

H. F. No 28 was taken up, a bill granting a ferry charter to Josiah Burget.

Mr. Mitchell moved a call of the House, Mr. Richardson absent.

Mr. Mitchell moved to postpone the bill for the present.

On a division the motion was lost.

On motion of Mr. Clark,

Said bill was read a third time, passed and title agreed to.

H. F. No 53 was taken up, a bill to incorporate Rock Bluff city.

Postponed till the 4th of July next.

C. F. No 32 was taken up, a bill to authorize John T. Baldwin and associates to keep a ferry across the Missouri river ; laid on the table,

H. F. No 44 was taken up, substitute for a bill for an act relating to stallions and jacks, read a second time and ordered to be engrossed for a third reading.

C. F. No 52 was taken up, a bill to authorize Stephen Cass and others to keep a ferry on Platte river, ordered to be engrossed for a third reading.

C. F. No 64 was taken up, a bill to incorporate the Nebraska medical society.

Mr. Clark moved to amend Sec. 10 by striking out "repeal" and insert "restriction ;" also, Sec. 8, by striking out all after the word "numbers," which was agreed to.

Mr. Bennet moved to amend by filling the blank in Sec. 1 with the names of G. L. Miller, B. Y. Shelley, M. H. Clark, Henry Bradford, J. C. Campbell, Joseph Venable, Isaiah Crane, Dr. Goshen and J. T. Bird, which was agreed to.

Said bill was ordered to be engrossed for a third reading.

Mr. Richardson on leave introduced,

C. F. No 77, A bill relating to the time of the taking effect of the laws.

On motion, passed to a third reading.

Mr. Clark introduced,

C. F. No 78, Joint resolution relating to the appointment of Messrs. Richardson and Sharp commissioners to draft laws.

On motion of Mr. Clark,

Passed to a second reading and referred to the committee on the judiciary.

H. F. No 22 was taken up, a bill to define the boundaries and locate the seat of justice of Omaha county.

On motion of Mr. Clark, postponed till Friday next.

On motion of Mr. Clark,

The Council took a recess till 3 o'clock.

AFTERNOON SESSION.

C. F. No 76 was taken up, a bill to incorporate the Nebraska University.

Ordered to a third reading for to-morrow.

C. F. No 71 was taken up, a bill to authorize Jacob Pate and Green Cooper to keep a ferry.

Mr. Folsom moved to amend by striking out "five" and insert "two" in Sec. 1, which was agreed to, and the bill was ordered to be engrossed for a third reading for to-morrow.

The Council took up the special orders in committee of the whole.

After some time spent therein the committee arose and by their chairman reported the same back and asked to be discharged from further consideration thereof; on which

Mr. Mitchell moved its reference to a select committee of three, which was agreed to.

Messrs. Mitchell, Bennet, and Rogers were appointed such committee.

On motion the Council adjourned.

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THURSDAY, FEBRUARY 22, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the chaplain.

Message from the House:

MR. PRESIDENT—I have to inform you that the House of Representatives has passed the folowing bills in which it asks concurrence on the part of the Council.

H. F. No 65, an act to preserve the purity of elections.

H. F. No 75, substitute, an act to define the boundaries and locate the seat of justice of Green county.

H. F. No 78, an act to establish a ferry across the Missouri river.

H. F. No 79, an act in reference to offences against the public peace.

H. F. No 91, an act to incorporate the city of DeSoto.

H. F. No 92, an act to authorize Moland Beard and others to keep a ferry across the Missouri river at the mouth of the Little Nemaha.

H. F. No 97, an act to incorporate the city of Bellevue.

I also return you C. F. No 50, an act to incorporate the Nebraska stock company, which has passed the House without amendment.

J. W. PADDOCK, Chief Clerk.

Mr. Clark introduced C. F. No 79, joint resolution and memorial asking for an appropriation of land for the Territorial University at Fontanelle, &c.

On motion of Mr. Mitchell,

Passed to a second reading.

On motion of Mr. Clark,

Said bill was read a second time, passed, and title agreed to.

Mr. Rogers offered the following—

*Resolved*, That from and after the 23d day of February, the Council hold

evening sessions, and that bills asking for ferry charters be made the special order of such sessions.

Laid over under the rule.

Mr. Mitchell, from the committee on enrollments to whom was referred C. F. Nos. 52, 74, 71, H. F. No 44, substitute, reported back the same as correctly engrossed.

Mr. Clark, from the committee on incorporations to whom was referred H. F. No 63, an act to authorize Edward P. Stout and others to keep a ferry across the Missouri river, reported back the same, with various amendments, and recommended its passage.

Also, C. F. No 75, a bill to incorporate the Grand Island bridge company and recommended its passage.

Mr. Mitchell, from the select committee to whom was referred H. F. No 1, a bill to authorize John B. Boulware to keep a ferry on the Missouri river at Nebraska city reported back the same recommending its passage, and submitted a majority report.

Mr. Bennet, from the same committee, submitted a minority report.

Mr. Clark introduced the following—

Resolved, That a committee of three be appointed to draft a memorial to Congress to accompany the joint resolution in relation to the widow and heirs of the late Gov. Burt.

Laid over under the rule.

Mr. Richardson, from the committee on the judiciary, to whom was referred H. F. No 16, substitute for H. F. No 16, entitled a bill relative to claims on public land, and certain amendments thereto, reported back an engrossed bill, embracing all the amendments, as a substitute, and recommended its passage.

Also, H. F. No 23, an act to authorize William Corfield to keep a ferry, with an amendment, recommending its passage as amended.

Mr. Bradford, from the committee on military affairs, to whom was referred a resolution calling upon the committee to report a militia system, reported a bill for organizing the militia.

The following bills were taken up and severally disposed of as follows :

H. F. No 65, a bill to preserve the purity of elections.

On motion of Mr. Clark,

Read a second time and referred to the committee on privileges and elections.

H. F. No 69, substitute, a bill to define the boundaries and locate the seat of justice of Lancaster county.

On motion, passed to a second reading, and referred to the committee on counties and county seats.

H. F. No 75, substitute, a bill to define the boundaries and locate the seat of justice of Green county.

On motion, passed to a second reading.

Mr. Clark moved to refer the bill to a select committee.

On motion of Mr. Richardson,

Referred to the committee on counties and county seats.

H. F. No 78, a bill to establish a ferry across the Missouri river.

On motion, passed to a second reading, and referred to the committee on incorporations.

H. F. No 79, a bill in reference to offences against the public peace.

On motion, passed to a second reading and referred to the committee on the judiciary.

H. F. No 92, a bill to authorize Moland Beard and others to keep a ferry across the Missouri river at the mouth of the Little Nemaha.

On motion, passed to a second reading, and referred to the committee on incorporations.

H. F. No 91, a bill to incorporate the city of DeSoto.

Read the first time.

H. F. No 97, a bill to incorporate Belleview.

On motion, passed to a second reading, and referred to the committee on incorporations.

H. F. No 44, substitute, an act relating to stallions and other animals.

Read a third time, passed, and title agreed to.

H. F. No 57, substitute, a bill to define the boundaries and locate the seat of justice of Johnston county.

Read a second time, and referred to the committee on counties and county seats.

C. F. No 58, a bill regulating marriages.

Read a second time.

Mr. Richardson moved to amend by placing "Sec. 1" before "that."

Also, by striking out "as follows," and inserting "that."

Also, by filling the blank in Sec. 4, 4th line, with "one hundred."

Also, by filling the blank in the 5th line of Sec. 4, with "six."

Also, Sec. 7, 2d line by inserting "knowingly" after "shall."

Also, Sec. 13, by striking out the parenthesis.

All of which amendments were agreed to.

Said bill was ordered to be engrossed for a third reading.

C. F. No 1, memorial and resolution to incorporate the Missouri river and Platte Valley railroad company.

Read a third time and passed.

Mr. Nuckolls moved to amend the title by inserting "joint" before "resolution."

Also, by striking out "to incorporate the" and inserting, "relative to a grant of land for the."

Which amendments were agreed to, and the title passed as amended.

C. F. No 71, an act authorizing Jacob Pate and others to keep a ferry.

Read a third time, passed, and title agreed to.

C. F. No 52, an act authorizing Stephen Cass and others to keep a ferry on the Platte river.

Read a third time, passed, and title agreed to.

C. F. No 77, a bill relating to the time of the taking effect of the laws.

Laid on the table.

The following resolutions were taken up and disposed of as follows:

The resolution relating to the Sergeant-at-arms.

Laid on the table.

The resolution relating to the per diem of the Council messenger, J. Waldo Thompson,

Postponed for the present.

The resolution relating to the per diem of F. E. Welsh, engrossing clerk. Adopted.

On motion of Mr. Clark,

The resolution relating to the per diem of the messenger was taken up and adopted.

On motion the Council took a recess till 2 o'clock, P. M.

AFTERNOON SESSION.

H. F. No 17, an act to incorporate the Nebraska University was taken up, read a third time, passed, and title agreed to.

The resolution was taken up, asking for the appointment of a commit-

tee of three to prepare a memorial to Congress praying for an appropriation to erect a monument to the memory of the late Gov. Burt, and for a grant of lands to his widow and heirs. Adopted.

Messrs. Bennet, Goodwill and Bradford were appointed such committee.

H. F. No 36, was taken up, a bill to prohibit the firing of woods, marshes and prairies.

Read a third time, passed, and title agreed to.

C. F. No 64, was taken up, an act to incorporate the Nebraska Medical Society, and prevent the sale of impure medicines.

Read a third time, passed, and title agreed to.

C. F. No 69, was taken up, a bill relating to corporations for pecuniary profit.

Referred to the committee on the judiciary.

H. F. No 63, was taken up, an act to authorize Edward P. Stout and associates to keep a ferry across the Missouri river.

Read a third time, passed, and title agreed to.

C. F. No 83, was taken up, a bill for organizing the militia.

Read the first time.

Mr. Mitchell moved to take up H. F. No 1, a bill granting a ferry charter to John B. Boulware, at Nebraska city.

On which a division was called, and the motion was lost.

Mr. Clark moved a call of the House—Mr. Richardson was absent.

Mr. Richardson appearing in his seat, the question being taken on taking up said bill,

The ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Bennet, Bradford, Brown, Clark, Cowles, Folsom, Goodwill, Jones, Nuckolls, Mitchell, Richardson and Rogers—12.

Nays—Mr. Sharp—1.

So said bill, together with the majority and minority reports relating thereto, were taken up, when

Mr. Rogers moved to recommit the bill and all papers relating to it to the select committee by whom it was reported back.

After some discussion,

Mr. Rogers withdrew his motion.

Mr. Bennet renewed the motion to recommit, and on a division, it was agreed to, and the bill recommitted.

Mr. Rogers moved that the bill relating to granting a ferry charter to John B. Boulware be made the special order for to-morrow morning,

Which was agreed to.

On motion of Mr. Mitchell,

The Council adjourned.

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FRIDAY FEBRUARY 23d, 1855.

MORNING SESSION.

The Council met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Mitchell offered the following resolution:

*Resolved*, That Charles Howard be and he is thereby allowed the sum of three dollars per day, for his services as fireman to this body.

Laid over under the rule.

Mr. Bennet gave notice of a bill granting a ferry charter to J. S. Morton and his associates, on the north fork of Platte river, at Ft. Laramie.

Also, of a bill for a ferry charter to C. A. Henry and his associates, at the usual place of crossing, on the south fork of Platte river.

Mr. Clark gave notice of a bill to establish a toll bridge on Wood river, also a ferry across south Platte river, and a toll bridge across Sweet Water.

Mr. Clark, from the committee on Incorporations, to whom was referred H. F. No 97, an act to incorporate Bellevue, reported back the same without amendment, and recommended its passage.

Also, H. F. No 78, A bill to establish a ferry across the Missouri river with amendments, and recommended its passage.

Mr. Folsom, from the committee on counties and county seats, to whom was referred C. F. No 69, resolution instructing that committee to inquire into the expediency of organizing new counties.

The resolution instructing it to report on the House bill, establishing Otoe county.

The resolution instructing it to report on the bill organizing the county of Loupe.

The joint resolution relating to the names of the counties remaining as given by Acting Governor Cuming, recommending them to be laid upon the table.

C. F. No 61, Joint resolution appointing commissioners, locating county buildings, recommending it to be postponed for the present.

Also, sundry petitions on the subject of Jackson county, recommending them to lie on the table.

H. F. No 43; Substitute a bill defining the boundaries of Loupe county, and establishinging the seat of justice therein, recommending its passage.

H. F. No 11, A bill defining the boundaries and establishing the seat of justice of Dodge county, with an amendment recommending its passage as amended.

H. F. No 59, A bill to create Pawnee county and locate the seat of justice therein, without amendment, and recommending its passage.

H. F. No 18, Substitute a bill to define the boundaries and locate the seat of justice of Otoe county with sundry amendments, recommending its passage as amended.

H. F. No 61, A bill to define the boundaries and locate the seat of justice of Clay county, recommending it to be laid on the table.

Mr. Rogers, from the committee on Judiciary, to whom was referred C. F. No 78, Joint resolution relative to the appointment of commissioners, to prepare a code of laws, reported back a substitute for the same and recommended its passage.

Mr. Mitchell, from the select committee, to whom was re-committed C. F. No 81, A bill granting a ferry charter to John B. Boulware, and the reports and papers relating thereto, reported back the same submitting a report.

Mr. Bennet, on leave introduced the following joint resolution—

*Resolved*, By the Council and House of Representatives of the Territory of Nebraska, That the 'code of Iowa,' so far as applicable, and not inconsistent with the laws of this Territory, be and the same is hereby declared in full force and effect in this Territory.

*Resolved*, That this resolution shall take effect from and after its passage.

Read a first time.

Mr. Clark, on leave introduced C. F. No 85, A bill to incorporate the Elk Horn and Loupe Fork Bridge and Ferry Company.

Read first time.

Mr. Nuckolls, on leave introduced C. F. No 86, A bill to organize, change the name, and locate the seat of justice of Cass county.

On motion, passed to a second reading.

Mr. Clark moved to amend by striking out 'Platte' and inserting 'Cass.'

On which motion a division was called and the amendment was lost.

Mr. Richardson moved to refer the bill to the committee on counties and county seats, which motion, on a division was lost; said bill was ordered to a third reading for to-morrow.

Mr. Mitchell moved to take up the special order, which was the bill granting a ferry charter to John B. Boulware, at Nebraska city.

Message from the House.

Mr. PRESIDENT: I have to inform you that the House of Representatives have passed the following bills, and the concurrence of the Council is respectfully requested therein:

H. F. No 46, An act securing liens to mechanics and others.

H. F. No. 67, Substitute an act to define the boundaries and locate the seat of justice of Blackbird county.

H. F. No. 76, An act to define the boundaries and locate the seat of justice of McNeale county.

H. F. No. 77, An act to establish the bouudaries and locate the seat of justice of Izard county.

H. F. No. 83, An act to establish the boundaries and locate the seat of justice Jackson county.

H. F. No. 94, Joint resolution relating to the appointment of commissioners to prepare a code of laws.

H. F. No 87. Joint resolution relating to the election of John H. Sherman and Joseph B. Strickland, as public printers.

H. F. No 84, An act to incorporate the Pacific Emigration company.

I have also to inform you that the House has passed C. F. No 8, An act to incorporate the Platte River Bridge Company, with the following amendment:

Sec. 1, Insert the names of Wm. B. Hail and H. G. Brown.

Also, C. F. No. 54, An act relating to divorces, with the following amendment:

Strike out all after the enacting clause, and insert H. F. No 49, the transcript of which I here furnish you.

I have to inform you further, that the House has passed without amendment.

C. F. No 4, An act to incorporate the Nebraska Colonization Company.

C. F. No 6, An act to incorporate the New England Land and Emigration Company.

C. F. No 24, An act to incorporate Nebraska City.

C. F. No 41, An act to incorporate the Nebraska Steam Mill Company.

I have also to inform you further, that the House concurs in the amendments proposed by the Council, to

H. F. No. 29, An act to define the duties of county surveyors.

J. W. PADDOCK, Chief Clerk,

The consideration of the Boulware bill being resumed, Mr. Bennet offered the following amendment:

'Provided that nothing in this act shall be so construed, as to give said Boulware the right of landing upon any lands belonging to the Nebraska city company.'

The question being taken on the amendment, the ayes and nays were ordered and resulted as follows:

Ayes—*Messrs.* Bennet, Bradford, Cowles, Nuckolls, Sharp—5.

Nays—*Messrs.* Brown, Clark, Folsom, Goodwill, Jones, Mitchell, Richardson, Rogers—8.

So the amendment was lost.

The question being taken on the bill being read a third time, the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Mitchell, Richardson, Rogers, Sharp—9.

Nays—Messrs. Bennet, Bradford, Cowles, Nuckolls—4.

So the bill was read a third time.

The question being taken on the passage of the bill, the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Mitchell, Richardson, Rogers, Sharp—9.

Nays—Messrs. Bennet, Bradford, Cowles, Nuckolls—4.

So the bill was passed and title agreed to.

On motion of Mr. Nuckolls,

The Council took a recess till 2 o'clock P. M.

AFTERNOON SESSION.

H. F. No 91, An act to incorporate the city of DeSoto was taken up, passed and title agreed to.

C. F. No 83, A bill for organizing the militia was taken up, and read a second time.

The resolution relating to evening sessions of the Council, was taken up, amended, and,

On motion of Mr. Clark, laid on the table.

C. F. No 79, Was taken up joint resolution and memorial for appropriation of land for the Territorial University at Fontanelle &c.

Read a third time, passed and title agreed to.

Mr. Mitchell, from the committee on Enrollments, to whom was referred H. F. No 22, An act to define the boudaries and locate the seat of justice of Omaha county as correctly engrossed.

Mr. Clark moved to amend by striking out 'Omaha' and inserting 'Douglas' before county, which was agreed to.

Mr. Richardson moved to amend the second section as amended, by inserting 'on the square known as' Washing Square,' which was agreed to.

Message from the House:

Mr. President—I have to inform you that the House of Representatives has passed the folowing bill:

H. F. No. 110, Joint resolution relating to the appointment of an associate to act with others in preparing a code of laws.

J. W. PADDOCK, Chief Clerk.

Mr. Bradfond moved to amend the Omaha county bill by striking out "Omaha" and inserting "Belleview."

On which motion the ayes and nays were ordered, and the result was as follows:

Ayes—Messrs. Bradford—1.

Nays—Messrs. Bennet, Brown, Clark, Cowles, Folsom, Goodwill, Jones, Nuckolls, Mitchell, Richardson, Rogers, Sharp—12.

So the amendment was lost.

Mr. Bennet moved to re-commit the bill to the committee on counties and county seats.

On a division the motion was lost.

Mr. Folsom moved to amend as follows: "Nothing herein contained shall have the effect to change or alter the north line of Washington County as was established," which was agreed to.

Mr. Bennet offered the following amendment:

That the boundaries of said county shall be as follows: Beginning at a point in the Missouri river due east of the 'Omaha graves' on the travelled road, and about half way between Omaha city and Belleveu, thence up said river to a point three miles north of Florence, thence west eighteen miles, thence south till it intersects a line due west from the place of beginning, thence to the place of beginning.

On which question the ayes and nays were ordered, and the result was as follows:

Ayes—Messrs. Bennet, Bradford, Cowles, Nuckolls, Sharp—5.

Nays—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Mitchell, Richardson, Rogers—8.

So the amendment was lost.

Said bill was read a third time and passed.

Mr. Clark moved to amend the title by striking out 'Omaha' and inserting 'Douglas,' which was agreed to, and the title passed.

C. F. No 37, Was taken up a bill to define the boundaries of the county of Sarpy, and locate the seat of justice thereof.

Mr. Folsom moved its indefinite postponement.

Mr. Rogers moved to lay the bill on the table.

On which motion the ayes and nays were ordered with the following result:

Ayes—Messrs. Brown, Folsom, Goodwill, Jones, Mitchell, Richardson, Rogers, Sharp—8.

Nays—Messrs. Bennet, Bradford Clark, Cowles, Nuckolls—5.

C. F. No 78, Substitute 'joint resolution relative to the appointment of commissioners to prepare a code of laws.'

Mr. Bennet moved to postpone till to-morrow,

Which motion, on a division was lost.

The question being taken on the bill being read a third time,

The ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Mitchell, Rogers—7.

Nays—Messrs. Bennet, Bradford, Cowles, Nuckolls—4.

So the bill was read a third time, passed and title agreed to.

H. F. No 97, An act to incorporate Bellevue.

Read a third time, passed and title agreed to.

H. F. No. 18, Was taken up a bill to define the boundaries and locate the seat of justice of Otoe county.

Said bill was amended, read a third time, passed and title agreed to.

Mr. Mitchell moved that the Council adjourn till Monday morning, 10 o'clock.

On which motion the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bennet, Bradford, Brown, Clark, Cowles, Nuckolls, Mitchell 7.

Nays—Messrs. Folsom, Goodwill, Jones, Richardson, Rogers, Sharp—6.

The Council adjourned till Monday morning, 10 o'clock.

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MONDAY, FEBRUARY 26, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Chaplain.

Message from the House:

MR. PRESIDENT—I am directed to inform you that the House of Representatives have passed the following bills in which the Council is respectfully requested to concur.

H. F. No 55, an act incorporating the Nebraska emigrant aid company.

H. F. No 90, an act to secure the right of way in certain cases.

H. F. No 95, an act to incorporate the Simpson University at Omaha City.

H. F. No 99, an act to define the boundaries and locate the seat of justice of York county.

H. F. No 108, an act to authorize Stephen Story, his heirs and assigns to keep a ferry.

I herewith return you

C. F. No 5, an act to incorporate the Platte Valley and Pacific railroad company.

C. F. No 20, a bill relating to certain officers herein mentioned.

C. F. No 60, a bill authorizing the Secretary of the Territory to establish a Territorial Cabinet.

C. F. No 59, a bill for an act to incorporate the Nemaha hydraulic and milling company.

C. F. No 63, an act to incorporate the Salt Creek manufacturing company, the same having passed the House without amendment.

I also return you the following bills which have passed the House with the several following amendments:

C. F. No 78, substitute, joint resolution relative to code of laws,

Insert in the blank "A. J. Poppleton," "J. D. N. Thompson."

C. F. No 5, a bill to incorporate the Platte Valley and Pacific railroad company.

C. F. No 1, a bill to incorporate the Missouri river and Platte Valley railroad company.

Amend the enacting clause so as to read,

"Be it enacted by the Council and House of Representatives of the Territory of Nebraska."

Amend

Sec. 1, by striking out "Henry Farnham" and inserting "G. H. Morris, J. N. Morris, Joel A. Matteson, Lewis W. Ross, A. R. Gillmore, of Illinois; Bela M. Hughes, Robert M. Stewart, James Foster, John Corby, of Missouri; J. N. O. P. Woods, of Kansas: William Corfield, J. L. Sharp, of Cass county, N. T.; Thomas M. Allen, Solomon L. Leonard, of Missouri, Hiram P. Bennet, A. A. Bradford, William B. Hail, Wm. Clancy, David M. Johnston, of Richardson county, N. T.; Joseph Walker, of Missouri; Wheatly Micklewait, Thos. J. Latham, John B. Robertson, William Kempton, William A. Jones, Richard Brown, B. B. Frazier, Gideon Bennet;"—by striking out "for the term of years," and inserting "shall have perpetual succession."

Amend—

Sec. 2, by inserting in the first blank "five millions," in the second blank, "twenty-five," and in the third blank, "fifteen." Amend

Sec. 3, by inserting in the blank "one thousand."

Sec. 6, by inserting Gideon Bennet, William B. Hail, Joel E. Matteson, Isaac Cook, James F. Joy, William T. Coolbaugh, David M. Johnston, J. L. Sharp, J. W. Grimes, S. F. Nuckolls, Thomas M. Allen, William Kempton, Robert Stewart, John Corby.

Amend by annexing

Sec. 10. "And be it further enacted, That the said company shall have power to locate and build a branch road running from Nebraska city and intersecting the main trunk of said road at Fort Kearney, having all the advantages of and being under all the restrictions herein before contained."

By annexing

Sec. 11. This act to be in force and take effect from and after its passage.

I have to inform you that the House concurs in the amendments proposed by the Council to

H. F. No 18 and 22, acts relative to the boundaries and seats of justice of Otoe and Omaha counties, and also to the 1st, 2d and 4th amendments to

H. F. No 63, an act granting to Edward P. Stout the right of ferry at DeSoto, and that it proposes to insert "three" in lieu of "five" in the section and line to which the said amendment relates.

I have to inform you further that the House has adopted the Council substitute to

H. F. No 44, an act relation to stallions and other animals.

J. W. PADDOCK, Chief Clerk.

Mr. Jones, on leave, introduced C. F. No 88, a bill regulating elections.

On motion, passed to a second reading, and referred to the committee on privileges and elections.

H. F. No 55, was taken up, an act incorporating the Nebraska emigrant aid company.

On motion, passed to a second reading.

Mr. Clark offered the following amendment—

"Nothing in this corporation shall be so construed as to give this company the powers or privileges of banking."

On motion of Mr. Rogers,

The bill and amendment were referred to the committee on incorporations.

The following bills were taken up and severally referred as follows:

H. F. No 90, an act to secure the right of way in certain cases.

On motion, passed to a second reading, and referred to the committee on highways and bridges.

H. F. No 95, an act to incorporate the Simpson University at Omaha city.

On motion, passed to a second reading, and referred to the committee on schools and seminaries of learning.

H. F. No 99, an act to define the boundaries and locate the seat of justice of York county.

On motion, passed to a second reading, and referred to the committee on counties and county seats.

H. F. No 108, an act to authorize Stephen Story, his heirs and assigns, to keep a ferry.

Referred to the committee on incorporations.

C. F. No 78, substitute, joint resolution relative to the appointment of commissioners to prepare a code of laws with amendments proposed by the House.

On motion, the House amendments were concurred in.

C. F. No 1, was taken up, an act to incorporate the Missouri river and Platte Valley reilroad company.

Postponed for the present.

C. F. No 63, an act to authorize Edward P. Stout and associates to keep a ferry across the Missouri river at DeSoto.

On motion, the amendments proposed by the House to the said bill were considered and concurred in.

The following bills were taken up and severally disposed of as follows:

H. F. No 46, an act for securing liens to mechanics and others.

On motion, passed to a second reading, and referred to the committee on the judiciary.

H. F. No 69, substitute, an act to define the boundaries and locate the seat of justice of Blackbird county.

On motion, passed to a second reading, and referred to the committee on counties and county seats.

Also, H. F. No 76, a bill to define the boundaries and locate the seat of justice of McNeale county.

Also, H. F. No 77, a bill to define the boundaries and locate the seat of justice of Izard county.

Also, H. F. No 83, a bill to define the boundaries and locate the seat of justice of Jackson county.

H. F. No 94, was taken up, joint resolution relative to the appointment of commissioners to prepare a code of laws, and,

On motion of Mr. Clark,

Laid on the table.

H. F. No 81, was taken up, a bill to incorporate the Hibernian emigrant company.

Read the first time.

H. F. No 87, was taken up, joint resolution relative to the election of John H. Sherman and Joseph B. Strickland as Public Printers.

On motion, passed to a second reading and referred to the committee on printing.

H. F. No 84, was taken up, an act to incorporate the Pacific emigration company.

On motion, read a first, second and third time, passed, and title agreed to.

C. F. No 8, was taken up, an act to incorporate the Platte river bridge company with amendments proposed by the House.

On motion, the amendments were considered and concurred in.

C. F. No 54, was taken up, an act relating to divorces, with the amendments proposed by the House, and,

On motion, said amendments were considered and disagreed to.

H. F. No 110, was taken up, joint resolution relative to the appointment of an associate to prepare a code of laws, &c.

Laid on the table.

C. F. No 84, was taken up, joint resolution relative to the general laws of the Territory.

Read a second time and referred to the committee on the judiciary.

C. F. No 85, was taken up, an act to incorporate the Elkhorn and Loupe Fork bridge and ferry company.

On motion, read a third time, passed, and title agreed to.

Mr. Clark from the committee on incorporations reported the following bills, and recommended their passage:

C. F. No 90, a bill to authorize J. C. Mitchell, A. J. Smith and M. H. Clark, to construct toll bridges.

C. F. No 91, a bill to incorporate the North Fork of Platte river bridge and ferry company.

Mr. Goodwill gave notice of a bill to prevent trespasses upon claims in this Territory.

Mr. Clark, on leave, introduced the following:

*Resolved*, That there be published five hundred copies of the Platte Valley and Pacific railroad bill, and the same number of the accompanying report of the committee on incorporations on this subject, also, the same number of the Missouri and Platte Valley railroad, for the use of the Council.

Laid over under the rule.

The resolution relating to the per diem of the Council fireman was taken up and adopted.

C. F. No 83, was taken up, a bill for organizing the militia.

Postponed for the present.

C. F. No 89, was taken up, a bill to organize, change the name, and locate the seat of justice of Cass county.

Postponed for the present.

On motion of Mr. Clark,

The Council took a recess till 2 o'clock.

AFTERNOON SESSION.

Mr. Jones called for the special order of the day, which was, a bill organizing certain counties therein named, and for other purposes.

On motion of Mr. Richardson,

The Council resolved itself into a committee of the whole, Mr. Richardson in the chair, for the consideration of said bill, and,

After some time spent therein,

The committee arose, and, by their chairman, reported back the same, with sundry amendments, recommending its passage.

Said bill was ordered to be engrossed for a third reading.

H. F. No 16, was taken up, substitute, a bill relative to claims on the public lands.

Mr. Mitchell moved to amend by inserting "or within four months after said claim or claims shall have been recorded"—in the tenth line, between the words "act" and "and."

Which was agreed to.

Said bill was, on motion, read a third time, passed, and title agreed to.

H. F. No 23, was taken up, an act authorizing William Corfield to keep a ferry on the Missouri river at the town of Rock Bluffs, in the county of Cass.

The following amendment was adopted as reported from the committee on the judiciary—"Stike out the last eight lines of the last section."

Said bill was passed, and the title agreed to.

C. F. No 75, was taken up, a bill to incorporate the Grand Island bridge company.

Read a third time, passed, and title agreed to.

C. F. No 90, was taken up, a bill to authorize J. C. Mitchell, A. J. Smith, and M. H. Clark to construct toll-bridges.

Read the first time,

C. F. No 91, was taken up, a bill to incorporate the North Fork of Platte river bridge and ferry company.

On motion, passed to a second reading.

C. F. No 92, was taken up, a bill to incorporate the South Fork of Platte river bridge company.

On motion, passed to a second reading.

Mr. Nuckolls moved to amend by striking out the names of "S. F. Nuckolls" and "Gideon Bennet."

Which was agreed to.

H. F. No 78, was taken up, an act to establish a ferry across the Missouri river.

Read a third time, passed, and title agreed to.

C. F. No 89, was taken up, a bill to organize, change the name, and locate the seat of justice of Cass county.

Mr. Richardson moved to recommit the bill to the committee on counties and county seats, with instructions to strike out the name of Platte and insert "Cass."

Mr. Bennet moved to lay the motion on the table.

On which the ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Bennet, Brown, Cowles, Nuckolls and Mitchell—5.

Nays—Messrs. Clark, Folsom, Goodwill, Jones, Richardson, Rogers and Sharp—7.

So the motion to lay on the table was lost.

The question recurring on Mr. Richardson's motion to recommit.

The ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Nuckolls, Richardson, Rogers and Sharp—9.

Nays—Messrs. Bennet, Cowles—2.

So the motion was agreed to, and the bill was recommitted.

Mr. Jones, from the committee on counties and county seats to whom was referred the Cass county bill, with instructions to amend, on leave, reported back the same with amendments, which were considered and concurred in.

On motion, said bill was read a third time, passed, and title agreed to.

H. F. No 61, was taken up, a bill to define the boundaries and locate the seat of justice of Clay county.

Mr. Rogers moved to recommit the bill to the committee on counties and county seats.

Mr. Cowles moved to lay the motion on the table, which motion, on a division, was lost.

The question recurring on Mr. Rogers motion to recommit, on a division, was lost.

Mr. Clark moved to refer the bill to a select committee.

On which question a division was called and the motion was lost.

Mr. Rogers moved to recommit to the committee on counties and county seats, with instructions to report a general bill defining the boundaries of a series of counties as soon as convenient.

On which motion the ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Brown, Goodwill, Jones, Rogers and Sharp—5.

Nays——Messrs. Bennet, Clark, Cowles, Folsom, Nuckolls, Mitchell and Richardson—7.

So the motion was lost.

Mr. Goodwill moved to amend the bill by striking out Sec. 2, relating to the appointment of commissioners.

Which question being taken, the motion was lost.

The bill was read a third time, passed, and title agreed to.

Mr. Clark moved to adjourn.

On which a division was called, and the motion was lost.

H. F. No 59, was taken up, an act to define the boundaries and locate the seat of justice of Pawnee county.

Read a third time, passed, and title agreed to.

H. F. No 11, an act to define the boundaries and locate the seat of justice of Dodge county, was taken up, amendments concurred in, read a third time, passed, and title agreed to.

Mr. Folsom from the committee on counties and county seats, to whom they were referred, reported back the following bills, recommending their passage:

H. F. No 57, substitute, an act to define the boundaries and locate the seat of justice of Johnston county.

H. F. No 69, substitute, an act to define the boundaries and locate the seat of justice of Lancaster county.

H. F. No 75, substitute, an act to define the boundaries and locate the seat of justice of Green county.

The following bills were taken up, read a third time, passed, and titles agreed to.

H. F. No 57, substitute, an act to define the boundaries and locate the seat of justice of Johnston county.

H. F. No 69, substitute, an act to define the boundaries and locate the seat of justice of Lancaster county.

H. F. No 75, substitute, an act to define the boundaries and locate theseat justice of Green county.

C. F. No 58, a bill regulating marriages.

H. F. No 43, substitute, an act to define the boundaries and locate the seat of justice of Loup county.

C. F. No 78, joint resolution relative to the adjournment of the Legislature, was taken up, and,

On motion of Mr. Richardson,

Laid on the table.

Mr. Brown moved to adjourn.

On which a division was called, and the motion was lost.

A call of the House was demanded, which being taken, Mr. Rogers was absent.

Mr. Goodwill moved to adjourn.

On which the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bennet, Brown, Goodwill, Jones, Nuckolls, Richardson and Sharp—7.

Nays—Messrs. Clark, Cowles, Folsom and Mitchell—4.

So the motion to adjourn was agreed to, and

The Council adjourned.

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TUESDAY, FEBRUARY 27th, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Prayer by the Chaplain.

Message from the House.

I am directed to inform you that the House of Representatives have passed the following bills, and asks concurrence on the part of the Council therein:

H. F. No 89, an act to define the boundaries and locate the seat of justice of Saline county.

H. F. No 44, an act to define the boundaries of Nemaha county and locate the seat of justice therein.

H. F. No 117, an act to incorporate Wyoming city.

I herewith return you the following bills, the same having passed the House without amendment:

C. F. No 52, a bill authorizing Stephen Cass and others to keep a ferry on Platte river.

C. F. No 64, a bill to incorporate the Nebraska Medical Society and prevent the sale of impure medicines.

J. W. PADDOCK, Chief Clerk.

*Mr.* Goodwill introduced the following:

*Resolved,* That the printing of the daily journal for the use of the Council be dispensed with for the future.

Laid over under the rule.

Mr. Clark, from the committee on incorporations, to whom was referred,

C. F. No 62, a bill to incorporate the Sioux City ferry company, reported back the same and recommended its passage.

Mr. Rogers, from the committee on schools and seminaries of learning, to whom was referred,

H. F. No 95, a bill to incorporate the Simpson University at Omaha City, reported back the same without amendment and recommended its passage.

Also, from the committee on Territorial Library,

C. F. No 94, a bill creating the offices and defining the duties of Territorial Librarian, Aubitor and Treasurer, recommending its passage.

Mr. Mitchell from the committee on enrollments, to whom was referred,

C. F. Nos 59, 63, 41, 60, 8, 5, 6, 4, 78, reported back the same as correctly enrolled.

Mr. Brown, on leave, introduced a bill to locate a territorial road.

On motion, passed to to a second reading, and

Referred to the committee on highways and bridges.

The following bills were taken up and severally disposed of as follows :

H. F. No 89, an act to define the boundaries and locate the seat of justice of Saline county.

On motion, passed to a second reading.

Mr. Rogers moved to amend by striking out "Saltville" and inserting "Salina," which amendment was lost.

H. F. No 114, an act to define the boundaries of Nemaha county, and locate the seat of justice therein.

On motion, passed to a second reading.

Mr. Folsom from the committee on counties and county seats, to whom was referred,

H. F. No 67, substitute, an oct to define the boundaries and locate the seat of justice of Blackbird county.

H. F. No 99, an act to define the boundaries and locate the seat of justice of York county, on leave, reported back the same and recommended their passage.

The following bills were taken up, and severally disposed of as follows :

H. F. No 117, an act to incorporate Wyoming city, read the first time.

C. F. No 90, a bill to authorize J. C. Mitchell, A. J. Smith and M. H. Clark to construct toll bridges, read a second time.

The resolution relating to the printing of five hundred copies of the Platte Valley and Pacific railroad bill &c., was taken up, and,

On motion, referred to the committee on printing.

The following bills were taken up and disposed of as follows :

C. F. No 1, an act to incorporate the Platte Valley and Pacific Railroad company.

The Council concurred in the amendments proposed by the House, and the bill was passed and its title agreed to.

C. F. No 23, an act defining the boundaries of counties herein mentioned.

Read a third time, passed and title agreed to.

C. F. No 91, an act to incorporate the North Fork of Platte river bridge and ferry company ; read a third time, passed and title agreed to.

C. F. No 92, an act to incorporate the South Fork of Platte river bridge and ferry company ; read a third time, passed and title agreed to.

A committee was announced from the House, consisting of Messrs. Poppleton, Kempton and Decker, who by their chairman, extended an invitation to the Council to meet the House in joint convention for the purpose of receiving a communication from the Executive.

The Council proceeded in a body to the hall of the House, and, after listening to the reading of a message from the Governor, repaired in order to their Chamber.

The message was as follows :

FELLOW CITIZENS OF THE COUNCIL,

AND HOUSE OF REPRESENTATIVES :

The circumstances under which I make this, my first official communication to your honorable body, are somewhat peculiar, my arrival in the territory having been delayed by causes entirely beyond my control, until a late day of the session, I cannot flatter myself that I am sufficiently familiar with the progress already made, to indicate a course of policy for the government of your future

action, with as much clearness and precision as I could desire, but finding the session fast drawing to a close, and the more important matters of Legislation, which are of vital interest to the people of the territory, yet in their incipient state or wholly untouched, I feel it my duty to call your attention to the subject, and recommend to your favorable consideration, such measures as I deem important for the speedy organization of the territory, and future peace and harmony of our young and growing community.

As a measure of primary importance, I would recommend the adoption of a plain and simple system of civil and criminal law, the necessity of this for the protection of the lives and property of our citizens, and those who may demand our protection in their transit through our country, will be obvious to you without the enumeration of additional arguments. To accomplish this in the ordinary course of legislation, would require more time than is allowed by the Organic Law for the present Legislative Assembly to remain in session, and as suitable men have already been appointed by joint resolution of both houses, whose duty it is to arrange and codify a system of law for the government of the territory, and report the same to the Legislative Assembly for its adoption at the next regular session thereof, I would recommend for the time being, the adoption of some one of the codes of the adjoining States. Perhaps the code of Iowa would be best, as a large portion of our citizens at present, are from that State, and are more or less familiar with its system. Should you in your wisdom decide to pursue the course above indicated, it will in my opinion, greatly facilitate your progress and enable you to conclude your labors, in a manner beneficial to the country and honorable to yourselves.

In connexion with the above recommendation, it will be necessary for the complete organization of the territorial government, to pass a general election law, fixing the time, place and manner of holding and conducting all elections by the people, carefully defining the qualifications requisite to the holding of office, and the exercise of the right of suffrage; and also, to fix definitely a time and place for the meeting of the regular session of the Legislative Assembly.

The Organic Law provides that all township, district and county officers, not therein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the Governor and Legislative Assembly. It will be in conformity with the principles of popular rights which lie at the foundation of the Government of Nebraska, that all these officers shall be elected by the people. Among these are a Judge of Probate for each organized county, and such other municipal officers as may be necessary for town and county government. The duties of such officers shall be clearly defined, and adequate fees and compensation prescribed.

In carrying on the affairs of the Government of this territory, many expenses must necessarily be incurred, not properly cognizable by, and chargeable to the general Government. To meet this contingency, a system should be adopted by which a territorial revenue can be realized, the basis of taxation, ever a subject difficult of adjustment, even by the older States and Territories, will demand of you peculiar care and consideration. By act of Congress, approved July 22d, 1854, provision is made legalizing the settlement of the unsurveyed public lands in this territory, to which the Indian title has been extinguished. The possessory interest of the claimant of such lands, and the improvements thereon, may legitimately be embraced in the catalogue of taxable property. I would also recommend that a law be passed, more clearly defining the rights of settlers under the act of Congress referred to.

These are thoughts hastily thrown together, which as a co-ordinate branch of the Legislative Assembly, I have deemed it my duty to lay before you, I have alluded to subjects which doubtless would not have been overlooked by

you, but in the haste and confusion of Legislation to be expected towards the close of a session, limited as yours is by the Organic Law, there may be reason to fear that their paramount importance might not be duly regarded.—Special laws may be necessary to subserve the public interest in the incipient stages of our political existence; such laws, however, often look more to the attainment of private ends than public benefits. If the exigency should arise I doubt not you would regard it as your duty to suspend all special Legislation and enact such laws of general application as are indispensible to our progress as a territorial Government.

Having the fullest confidence in your wisdom, integrity and patriotism, I invoke the blessing of the Divine Being upon your deliberation, and look forward with lively anticipations for the result of this the first Legislative Assembly of the territory of Nebraska, to bring honor and prosperity upon her people, and invite our friends from abroad to come in and share with us the blessings of a government founded upon the eternal principles of popular sovereignty, and I trust that you will always find in me a faithful co-worker in seeking to effect these desirable objects.

MARK W. IZARD.

EXECUTIVE OFFICE, OMAHA CITY, NEBRASKA TERRITORY,
FEBRUARY 27TH, 1855.

Mr. Richardson, on leave, introduced the following:

*Resolved*, That the committee on elections be instructed to prepare and report to this House, with all convenient speed, a bill providing for the election in August next, in each organized county in this Territory,

1. One Judge of Probate to hold his office —— years, to have the usual powers of such court, and, in addition thereto, the following:

1. To determine the amount of tax to be levied for county purposes.

2. To make a tax-roll, apportioning said tax amongst the tax payers upon the assessments, to be lodged with him by the county assessor, and deliver the same to the sheriff for collection.

3. To audit all claims against the county, and draw orders on the treasurer for the amount.

4. To audit and settle yearly the accounts of the treasurer and sheriff for all taxes and moneys in their hands belonging to the county, with a moderate salary.

2, One Sheriff, to hold his office —— years with the usual powers of a sheriff; in addition he is to be the collector of Territorial and county taxes; compensation, fees and commission on collections.

3. One County Assessor; compensation, per diem, to be elected yearly.

4. Constables, compensation, fees, to be elected yearly.

5. Justices of the Peace, compensation, fees, to be elected biennially.

6. One Register of Deeds, fees, to be elected biennially.

7. Notaries Public, compensation, fees, to be elected biennially.

8. One County Clerk to act as clerk of the Probate court, master in chancery and treasurer of the county, a book of records to be kept for each class of business, to be elected biennially, compensation, fees.

Laid over under the rule.

C. F. No 68 was taken up, a bill relating to courts and their jurisdiction.

Pending the consideration of which,

On motion, the Council took a recess until 2 o'clock P. M.

## AFTERNOON SESSION.

The Council resumed the consideration of C. F. No 68, Mr. Richardson in the chair.

On motion, the Council resolved itself into committee of the whole on said bill, Mr. Jones in the chair.

After sometime spent therein, the committee arose, and by their chairman, reported back the bill with sundry amendments, and asked and obtained leave to sit again.

On motion, the Council adjourned.

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WEDNESDAY, FEBRUARY 28, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Mr. Folsom introduced the following:

*Resolved*, That the Chief Clerk be, and he is hereby appointed to superintend the indexing, proof-reading, and printing of the journal of the Council for this session, and that he be allowed the sum of——dollars therefor.

On motion of Mr. Rogers,

The rule was suspended and the resolution was adopted.

Mr. Cowles asked and obtained leave of absence till next Monday.

H. F. No. 117, Was taken up an act to incorporate Wyoming city.

Read a second time, and

On motion of Mr. Rogers, laid on the table.

Mr. Clark, from the committee on Incorporations, on leave reported a bill (C. F. No. 95,) to incorporate the Sweet Water Toll-bridge Company, recommending its passage.

The following bills were taken, up read a third time, passed and titles agreed to.

H. F. No. 89, An act to define the boundaries and locate the seat of justice of Saline county.

C. F. No. 90. A bill to authorize J. C. Mitchell, A. J. Smith, and M. H. Clark, to construct toll-bridges.

The resolution relating to dispensing with the printing of the daily journals was taken up, and

On motion of Mr Goodwill, laid on the table.

Mr. Clark from the committee on incorporations to whom was referred

H. F. No. 93, a bill to anthorize Moland Beard and others to keep a ferry across the Missouri river at the mouth of the Little Nemaha, reported back the same with amendments, and recommended its passage.

Mr. Richarkson, from the committee on Judiciary, to whom was referred,

H. F. No. 46, A bill for securing liens to mechanics and others, reported back the same with various amendments, recommening its passage.

Mr. Richardson's resolution of instructions to the committee on Elections, was taken up, when

Mr. Jones submitted the following as a substitute:

*Resolved*, That the committee on Elections, be instructed to inquire into the expediency of providing by law for the election of the following officers at the August election:

1. One Probate Judge who shall perform such probate business as may be required by law.

The committee is instructed to select from the code of Iowa, so much of the law as relates to the County Judge as is applicable, and give those powers to the Judge of Probate, and to confer no judicial powers upon him but the powers of a Justice of the Peace.

2d. One Register of Deeds, who shall perform the usual duties of County Clerk.

3d. One Sheriff, who shall perform the duties of Assessor, Collector and Coroner.

4th. One Treasurer, who shall perform the duties of School Fund Commissioner.

5th. One District Attorney for each judicial district.

6th. One County Surveyor for each county.

7th. Two Justices of the Peace for each precinct, all of whom shall be elected for the term of two years, and whose compensation is to be paid by fees.

On motion, the Council resolved itself into committee of the whole, Mr. Goodwill in the Chair, upon the resolution and substitute.

After some time spent therein, the committee arose and by their Chairman reported back the substitute with various amendments, and recommended its adoption.

The Council concurred in the amendments, and the substitute was adopted.

Message from the House:

Mr. President—I am directed to inform you that the House of Representatives has passed the following bill, in which the concurrence of the Council is respectfully requested.

H. F. No 127, Joint resolution pertaining to a committee of conference.

I have to inform you that the House has considered and concurred in the amendments proposed by the Council to the following bills:

H. F. No 11, An act defining the boundaries and locating the seat of justice of Dodge county.

H. F. No 16, An act relative to claims on public lands, substitute by the Council,

H. F. No 23, An act to authorize Wm. Corfield to keep a ferry at Rock Bluffs.

H. F. No 43, An act relative to the organization of Loupe county, substitute by the Council.

J. W. PADDOCK, Chief Clerk.

Mr. Richardson, from the committee on judiciary, to whom was referred,

H. F. No. 79, A bill in reference to offenses against the public peace, on leave reported back the same without amendment, recommending its passage.

Mr. Folsom, from the committee on counties and county seats, to whom was referre l,

H. F. No. 76, A bill to define the boundaries and locate the seat of justice of McNeale county.

H. F. No 77, A bill to establish the boundaries and locate the seat of justice of Izard county, reported back the same without amendment, recommending that they be now taken up and passed.

Said bills were taken up, read a third time, passed and titles agreed to.

Mr. Bennet moved to reconsider the vote by which the McNeale county bill was passed, which motion was lost.

On motion, the Council took a recess till 2 o'clock.

AFTERNOON SESSION.

The Council resolved itself into committee of the Whole upon the judiciary bill, Mr. Jones in the Chair.

Message from the Executive, by Mr. Secretary Izard:

Mr. President:—I am instructed by the Governor to inform your honorable body, that he has approved and signed the following bills:

C. F. No 22, An act to authorize J. D. M. Crockwell and others, to keep a ferry at Dakota.

C. F. No 11, An act to establish a ferry across the Elk Horn river, at Iron Bluffs, in Douglass county, Nebraska Territory.

C. F. No 9, An act to authorize William Kline to establish and keep a ferry across the Elk Horn river, between the mouth of Belle Creek and Logan's Creek in Dodge county, Nebraska Territory.

C. F. No 13, An act to authorize Jonathan Shinn, his associates, heirs or assigns to establish and keep a ferry across Elk Horn river.

C. F. No 14, An act to authorize William Brown, B. B. Frazier and Samuel E. Rogers, to establish and keep a ferry across the Missouri river at Brownsville, Forney county, N. Territory.

C. F. No. 12, An act to authorize Daniel C. Oakes and his associates, to establish and keep a ferry across the Loupe Fork of Platte river.

C. F. No. 42, An act to authorize Thomas L. Griffy and his associates, to establish and keep a ferry across the Missouri river.

After some time spent therein, the committee of the whole arose.

On motion of Mr. Rogers,

The vote adopting the resolution relating to the indexing &c. of journal was reconsidered.

Mr. Rogers moved to amend by filling up the blank with 'four hundred,' which was agreed to.

On motion, the Council adjourned.

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THURSDAY, MARCH 1st, 1855.

MORNING SESSION.

Mr. Bennet from the committee on enrollments to whom was referred,

C. F. Nos 24, 52, 44, 64, 1, reported back the same as correctly enrolled.

Mr. Clark gave notice of a bill to exempt property from forced sale in certain cases.

Mr. Jones gave notice of a bill defining the boundaries of counties.

Mr. Folsom gave notice of a bill to provide for a territorial revenue; also,

Of a bill to provide for assessing and collecting county revenue.

Mr. Brown from the committee on counties and county seats, on leave, reported, C. F. No 95, a bill for an act to divide the Territory into Representative Districts.

Mr. Jones, on leave, reported a bill in relation to new counties, which was,

On motion, read a first and second time and referred to the committee on the judiciary.

Mr. Folsom, from the committee on counties and county boundaries to whom was referred,

H. F. No 83, an act to define the boundaries and locate the seat of justice of Jackson county, on leave, reported back the same without amendment recommending its immediate passage.

Said bill was taken up, read a third time, passed and title agreed to.

The following bills were taken up and severally disposed of as follows:

H. F. No 127, Joint resolution pertaining to a committee on conference.

Read the first time.

H. F. No 114, a bill to define the boundaries of Nemaha county and locate the seat of justice therein; postponed for the present.

C. F. No 95, a bill to divide the Tertitory into representative districts.

Read the first time.

H. F. No 62, an act regulating the admission of attorneys; read a third time, passed and title agreed to.

Message from the House :

Mr. President ;—I have to inform you that the House of Representatives have passed the following bills, in which the concurrence of the Council is respectfully requested :

H. F. No 72, an act to define the boundaries and locate the seat of justice of Cuming county.

H. F. No an act entitled fugitives from justice.

H. F. No 115, an act to provide for the collection of demands growing out of contracts, for sales of improvements on public lands.

H. F. No 116, an act in relation to bonds and other securities.

H. F. No 121, an act relative to the time of taking effect of the laws of the present session.

H. F. No 122, an act to incorporate Kearney city.

H. F. No 124, Joint resolution and memorial relating to an appropriation of land in aid of the Simpson University.

H. F. No 125, an act to authorize Thomas Thompson and associates to keep a ferry across the Missouri river at Kanoshe.

H. F. No 126, a bill for an act to incorporate the city of Fontenelle.

I herewith return you

C. F. No 37, Joint resolution for protection of intercourse between the Atlantic and Pacific States by an overland route.

C. F. No 1, memorial and joint resolution relative to a grant of land for the Missouri river and Platte valley railroad company.

C. F. No 79, joint resolution and memorial for appropriation of land for the Territorial University at Fontenelle, the same having passed the House without amendment.

I have to inform you that the House has passed.

C. F. No 58, a bill regulating marriages, with the following amendments :

Sec. 7, 6th line, strike out "eighteen" and insert "sixteen ;" annex,

Sec. 14. Provided that no licensed preacher shall be permitted to solemnize marriage unless in accordance with the rules of the church to which he belongs.

J. W. PADDOCK, Chief Clerk.

H. F. No 6 was taken up, a bill to exempt the property of married women in certain cases.

Mr. Bennet moved to amend by inserting in Sec. 1, 3d line, in parenthesis, after "otherwise :"

Provided said property shall be set apart by deed or bill of sale and recorded by the register of deeds of the proper county.

Mr. Clark moved to lay the amendment on the table, on which motion

The ayes and nays were ordered, and resulted as follows :

Ayes—Messrs. Clark, Folsom, Goodwill, Richardson, Rogers, Sharp—6.

Nays—Messrs. Bennet, Bradford, Brown, Mitchell, Nuckolls—5.

So the amendment was laid on the table,

The question being taken on reading the bill a third time,

The ayes and nays were ordered and resulted as follows :

Ayes—Messrs. Clark, Folsom, Goodwill, Richardson, Rogers, Sharp—6.

Nays—Messrs. Bennet, Bradford, Brown, Mitchell, Nuckolls—5.

So the bill was read a third time.

On motion, the Council took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

The Council resumed the consideration of

H. F. No 6, the bill relating to the exemption of property, and,

The question being taken on its passage,

The ayes and nays were ordered and resulted as follows :

Ayes——Messrs. Clark, Folsom, Goodwill, Jones, Richardson, Rogers, Sharp—7.

Nays—Messrs. Bennet, Bradford, Brown, Mitchell, Nuckolls—5.

So the bill was passed.

The question being taken on the title of the bill,

Mr. Mitchell moved to amend by striking out all after the word "act" and inserting, "to enable rogues to swindle their creditors."

The Chair decided the amendment to be out of order.

Mr. Mitchell appealed from the decision, and upon the question of order,

The ayes and nays were ordered and resulted as fnllows:

Ayes—*M*essrs. Brown, Clark, Folsom, Goodwill, Jones, Richardsou, Rogers—7.

Nays—Messrs. Bennet, Bradford, Nuckolls, Mitchell—4.

So the decision of the Chair was sustained.

Mr. Mitchell offered the following amendment:

Strike out all after 'act' and inserting 'to encourage dishonest persons to settle in the Territory of Nebraska.

Mr. Goodwill moved to lay the amendment upon the table,

On which motion, the ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers, Sharp—8.

Nays—Messrs. Bennet, Bradford, Nuckolls, Mitchell—4.

So the amendment was laid on the table.

Mr. Mitchell moved to amend by striking out all after the word 'act' and inserting 'to encourage marriage.'

Mr. Goodwill moved to lay the amendment on the table,

On which motion, the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers, Sharp—8.

Nays—Messrs. Bennet, Bradford, Nuckolls, Mitchell—4.

So the amendment was laid upon the table, and the title of the bill was agreed to.

Message from the Executive by Mr. Secretary Izard:

Mr. President:—I am instructed by the Governor to inform your honorable body that he has approved and signed the following bills and resolutions, viz:

C. F. No 5, Entitled, an act to incorporate the Platte Valley and Pacific Railroad company.

C. F. No 50, Entitled an act to incorporate the Nebraska stock company.

C. F. No 41, Entitled an act to incorporate the Nebraska steam mill company.

C. F. No 8, Entitled an act to incorporate the Platte river bridge company.

C. F. No 6, Entitled an act to incorporate the New England land and emigration company.

C. F. No 4, Entitled an act to incorporate the Nebraska colonization company.

C. F. No 20, Entitled an act in relation to certain officers herein mentioned.

H. F. No 59, Entitled an act to incorporate Nemaha hydraulic and milling company.

C. F. No 2, Entitled an act to incorporate Plattsmouth ferry company.

C. F. No 63, Entitled an act to incorporate the Nebraska salt manufacturing company.

C. F. No 60, Entitled an act in relation to the Territorial Cabinet.

C. F. No 78, Joint resolution appointing commissioners to draft a code of laws &c.

The following bills were taken up, and severally disposed of as follows:

H. F. No 49, A bill in relation to divorce and alimony, indefinitely postponed.

H. F. No 69, Substitute a bill to define the boundaries and locate the seat of justice of Blackbird county, postponed for the present.

H. F. No 99, An act to define the boundaries and locate the seat of justice in York county.

Read a third time, passed and title agreed to.

H. F. No 95, An act to incorporate the Simpson University, at Omaha city.

Read a third time, passed and title agreed to.

H. F. No 46, An act for securing liens to mechanics and others.

Read a third time, passed and title agreed to.

H, F. No 92, An act to keep a ferry across the Missouri river, at the mouth of the Little Nemaha.

Mr. Mitchell moved to lay the amendments proposed by the committee, on the table, on which a division was called, and the motion was lost.

Mr. Bennet offered the following as a substitute for the first amendment, which was agreed to.

'Provided nothing in this act shall be so construed as to conflict with any treaty stipulations between the United States and any Indian tribes.

Also, the following amendments proposed by the committee, was agreed to.

Annex to section 4, 'and to any restriction or modification by the Legislative Assembly of said Territory.'

The bill was read a third time, passed and title agreed to.

H. F. No 62, An act to incorporate the Sioux city ferry company.

Read a third time, passed and title agreed to.

C. F. No 95, An act to incorporate the Sweet Water toll bridge company.

Mr. Folsom moved to insert the name of 'Abraham Lent.'

Mr. Brown moved to insert the names of 'Wm. Rogers and W. A. Finney.

Mr. Clark moved to insert the name of 'Waldo Thompson.'

Mr. Sharp moved to insert the name of 'Frank E. Welch,' all of which was agreed to.

The bill was read a third time, passed and title agreed to.

H. F. No 99, An act relating to offences against the public peace.

Read a third time, passed and title agreed to.

C. F. No 93, An act creating the office and defining the duties of the Territorial Librarian, Auditor and Treasurer.

On suspension of the rule, read a second time and referred to the committee on the Judiciary.

Mr. Mitchell, from the committee on Territorial Affairs, to whom was referred the resolution relating to the payment of B. Y. Shelley, as a contestor for a seat in this body, reported back the following substitute, which was adopted.

*Resolved*, That B. Y. Shelley, be and he is hereby allowed the pay of member for the time he has beenn contestor for a seat in this body, to wit:

From the first day of the session up to the sixth day of February inclusive.

On motion, the Council adjourned.

FRIDAY, MARCH 2d, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Mr. Richardson, on leave offered the following :

*Resolved,* That the committee on highways and bridges, be instructed to prepare and report a bill providing for roads and bridges.

That the committee on territorial affairs be instructed to prepare and report a bill providing for the support of the poor.

That the committee on agriculture and manufactures, be instructed to prepare and report a bill providing for fences.

That the committee on the judiciary be instructed to prepare and report a bill upon the subject of bills and promissory notes, and also a bill upon the practice and proceedings in the Supreme and District Courts.

That the committee on finance, ways and means, be instructed to prepare and report a bill providing for the probate of wills and settlement of the estate of deceased persons.

That the committee on schools and seminaries of learning, be instructed to prepare and report a bill providing for juries in the District Courts.

That the committee on printing be instructed to prepare and report a bill providing for the punishment of crimes and misdemeanors, said committee to report as soon as may be.

On suspension of the rule, the resolution was taken up and adopted.

Mr. Clark offered the following :

*Resolved,* That no new business be introduced on and after the passage of this resolution for the consideration of this Council, except by report of standing committees, and that we adjourn on the 10th inst., *sine die.*

Laid over under the rule.

Mr. Clark, from the committee on Incorporations, on leave reported

C. F. No 97, A bill relative to exempting property from forced sale,

Mr. Goodwill, from the committee on privileges and elections, to whom was referred,

H. F. No. 65, A bill to preserve the purity of elections.

The Council resolution relating to that subject,

C. F. No. 88, A bill for an act regulating elections, on leave reported back a substitute.

Mr. Folsom, on leave introduced a bill to provide for a Territorial revenue, (C. F. No. 98.)

On his motion, said bill was read a second time and referred to the committee on the Judiciary.

Mr. Rogers, on leave introduced,

C. F. No 99, A bill relating to money, of account and interest.

On motion, read a second time, and referrred to the committee on the Judiciary.

Mr. Jones, on leave introduced,

C. F. No 100, A bill to define the boundaries of counties.

On motion, read a second time.

On motion of Mr. Nuckolls, laid on the table.

Mr. Folsom moved to reconsider the vote by which the bill was laid on the table, which motion was agreed to.

Mr. Clark moved to lay the bill on the table, which was agreed to.

Message from the House.

Mr. President :—I am directed to inform you that the House of Representatives has passed the following bills, in which the concurrence of the Council is respectfully requested.

H. F. No. 106, An act granting to Stephen Cass the right to keep a ferry.

H. F. No 112, An act to regulate ferries and ferrymen.

H. F. No 120, An act to authorize S. F. Burtch, G. S. Eyre and others, to keep a toll bridge or ferry across the Platte river.

H. F. No 130, An act incorporating the Blackbird town and ferry company, and defining the boundaries of Blackbird city.

H. F. No 131, An act to prevent tresspasses upon claims on the public lands.

H. F. No 139, Joint resolution relative to the per diem, wages of officers and attendants of this Legislative Assembly, not authorized by the organic act.

I herewith return you C. F. No 75, Bill for an act to incorporate Grand Island and Bridge Company.

C. F. No. 85, An act to incorporate the Elkhorn and Loupe Fork Bridge and Ferry Company.

The same having passed the House without amendment.

I have to inform you that the House has passed,

C. F. No 25, An act to restrain sheep and swine from ruuning at large.

C. F. No 89, An act to organize and locate the seat of justice of Cass county, with amendments and annexations which will appear in the several bills.

J. W. PADDOCK, Chief Clerk.

The following bills were taken up and severally disposed of as follows :

H. F. No 106, A bill granting to Stephen Cass, a right to keep a ferry.

On motion, read a first and second time and referred to the committee on incorporations.

H. F. No 112, A bill to regulate ferries and ferrymen.

On motion, read a first and second time, and referred to the committee on incorporations.

H. F. No 12, A bill to authorize S. F. Burtch, A. S. Harris, G. S. Eyre and associates, to keep a ferry or toll bridge across the Platte river.

On motiou, read a first and second time, and its consideration postponed for the present.

H. F. No. 130, A bill incorporating the Blackbird town and ferry company and defining the boundaries of Blackbird city.

On motion. read a first and second time, and referred to the committee on incorporations.

H. F. No 131, A bill to prevent tresspasses upon claims on the public lands.

Read the first time.

H. F. No. 139, Joint resolution relative to the per diem wages of officers and attendants of this Legislative Assembly, not authorized by the organic act.

On motion, read a first, second and third time, passed and title agreed to.

C. F. No 25, A bill to restrain sheep and swine from running at large.

The question being taken on concurring in the amendments proposed by the House to said bill, the ayes and nays were ordered, and resulted as follows :

Ayes—Messrs. Bennet, Brown, Clark, Goodwill, Nuckolls, Mitchell, Sharp—6.

Nays—Messrs. Bradford, Folsom, Jones, Richardson, Rogers—5.

So the amendments were concurred in.

C. F. No. 89, An act to organize and locate the seat of justice of Cass county. The amendments proposed by the House were considered and concurred in.

H. F. No. 72, An act to define the boundaries and locate the seat of justice of Cuming county.

Read a first and second time on suspension of rules.

Mr. Folsom moved to amend by striking out 'thence north along the divide between the Elk Horn and Missouri river,' and inserting 'bounded on the east by the west line of Washington and Burt counties' in sec. 1, which was agreed to.

Said bill was read a third time, passed and title agreed to.

Message from the Executive by Mr. Secretary Izard :

Mr. President :—I am instructed by the Governor to inform your honorable body that he has approved and signed the following bills, viz—

C. F. No. 50, Entitled an act to authorize Stephen Cass and others, to establish and keep a ferry on the Platte river.

C. F. No. 44, Entitled an act concerning horses and other animals.

C. F. No. 64, Entitled an act to establish the Nebraska Medical Society, and to prevent the sale of impure medicines in the Territory of Nebraska.

C. F. No 1. Entitled an act to incorporate the Missouri river and Platte Valley Railroad Company.

C. F. No 24, Entitled an act to incorporate Nebraska city.

On motion, the Council took a recess till 2 o'clock.

AFTERNOON SESSION.

Mr. Mitchell, on leave introduced,

C. F. No. 101, A bill to incorporate the city of Florence.

On motion, read a first and second time, and referred to the committee on Incorporations.

Mr. Clark moved that when the Council adjourn, it adjourn till Monday morning, 10 o'clock, which was agreed to.

Mr. Nuckolls moved that the Council do now adourn, which motion was lost.

The President asked and obtained leave of absence till Monday morning.

The following bills were taken up and severally disposed of as follows :

H. F. No. 104, An act entitled, 'fugitives from justice.'

On motion, read the first and second time, and referred to the committee on the Judiciary.

H. F. No 115, An act to provide for the collection of demands growing out of contracts, for sales of improvements on public lands.

On motion, read a first and second time, and referred to the committee on the Judiciary.

H. F. No. 116, An act in relation to bond and other securities.

On motion, read a first and second time, and referred to the committee on the Judiciary.

H. F. No 122, An act to incorporate Kearney city.

On motion, read a first and second time.

Mr. Bennet offered the following amendment to sec. 1, which was agreed to :

Provided that nothing in this act shall be so construed as to conflict with an act entitled, 'an act to incorporate Nebraska city.

On motion, said bill and amendment were referred to the committee on the Judiciary.

H. F. No 124, Joint resolution and memorial relating to an appropriation of land in aid of the Simpson University.

On motion, read a first and second time.

H. F. No 125, An act to authorize Thomas Thompson and associates, to keep a ferry across the Missouri river at Kenosha.

On motion, read a first, second and third time, and title agreed to.

H. F. No 126, An act to incorporate the city of Fontanelle.

On motion, read a first, second and third time, passed and title agreed to.

On motion of Mr. Mitchell,

The vote by which the bill to incorporate the city of Florence was laid on the table, was reconsidered.

Said bill was taken from the table, read a third time, passed and title agreed to.

C. F. No. 58, Was taken up, a bill regulating marriages.

The amendments proposed by the House were considered and disagreed to,

C. F. No. 95, Was taken up a bill to divide the Territory into representative districts.

Read a second time and referred to the committee on Elections.

C. F. No 88, Was taken up, substitute a bill regulating Elections.

On motion, read a first and second time.

Mr. Folsom moved to amend section 12, by striking out 'this Territory' and inserting 'the United States.'

Also, by striking out in 6th line, 'he has resided' and inserting, 'has been an inhabitant,' which amendments were agreed to.

On motion, the consideration of said bill was postponed till Tuesday.

C. F. No. 97, Was taken up, a bill to prevent personal and other property from forced sale.

On motion, read a first and second time, and referred to the committee on the Judiciary.

Mr. Goodwill, on leave introduced sundry petitions of citizens, praying for a prohibatory liquor law.

Also, a bill to prevent the sale or manufacture of intoxicating liquors.

On motion, said bill was read a first and second time and referred to the committee on the Judiciary.

Mr. Rogers, on leave introduced,

C. F. No. 103, A bill establishing a common school system.

On motion, read a first and second time, and referred to the committee on schools and seminaries of learning.

H. F. No. 127, Joint resolution pertaining to a committee of conference.

On motion, read a second and third time, passed and title agreed to.

The Chair appointed Messrs. Richardson, Rogers and Clark, a committee of conference.

Mr. Richardson, from the committee on the Judiciary, to whom was referred,

C. F. No. 96, A bill in relation to new counties, reported back the same with an amendment.

Also, C. F. No 93, A bill defining the duties of the Territorial Librarian, Auditor and Treasurer, without amendment, recommending their passage.

Mr. Brown, on leave from the committee on printing, to whom was referred,

H. F. No 20, Joint resolution relating to the printing and distribution of the journals.

C. F. No. 44, Joint resolution providing for the printing of the laws.

H. F. No 48, Joint resolution relating to the election of public printer, reported back the same without amendment, recommending their passage.

Also, the resolution relating to the printing of five hundred copies of the Platte Valley and Pacific Railroad bill &c., recommending their passage.

Also, the resolution instructing the committee on printing to inquire into the expediency of electing a public printer.

Also, the resolution instructing the Chief Clerk to inform the Council what prices he pays for printing &c,, recommending that they be laid upon the table.

On motion, the Council adjourned.

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MONDAY, MARCH 5th, 1855.

MORNING SESSION.

The Council met pursuant to adjournment.

Mr. Jones introduced the following:

*Resolved*, That the Council will not, after to-day, act upon any ferry or coun-

ty or county seat bills which may be introduced during the remainder of this session.

Laid over under the rule.

Mr. Clark, from the committee on Incorporations, to whom was referred,

H. F. No 106, An act granting to Stephen Cass a right to keep a ferry.

Hd. F. No. 130, An act incorporating the Blackbird town and ferry company, and defining the boundaries of Black Bird city, reported back the same without amendment, recommending their pasage.

Mr. Rogers, from the committee on Schools and Seminaries of learning, to whom was referred,

C. F. No 68, A bill for an act establishing a common school system, reported back the same without amendment, and recommended its passage.

Mr. Richardson, on leave gave notice of a bill for a grant of a ferry to Jesse B. Winn and others, across the Elk Horn.

Mr. Folsom on leave introduced,

C. F. No 104, A bill for an act to provide for a county revenue.

On motion, read a first and second time, and referred to the committee on Judiciary.

Mr. Jones, on leave introduced,

C. F. No 105, A bill for an act defining the duties of Judge of Probate.

On motion, read a first and second time, and referred to the committee on Judiciary.

The resolution relating to the introduction of new business was taken up, and

On motion of Mr. Richardson, indefinitely postponed.

H. F. No 124, Joint resolution and memorial relating to an appropriation of land in aid of the Simpson University.

Read a third time, passed and title agreed to.

Message from the House.

Mr. PRESIDENT: I have to inform you that the House of Representatives have passed the following bills, and the concurrence on the part of the Council is requested therein:

H. F. No. 68, An act prohibiting gambling and gambling houses.

H. F. No 96, A bill for an act to organize the county of Buffalo.

H. F. No 132, Joint resolution relative to clerks to the code commissioners.

H. F. No 140, An act to authorize E. R. Doyle and others, to kesp a ferry on the Elk Horn river.

I herewith return you,

C. F. No 23, A bill for an aet defining the boundaries of counties herein mentioned.

C. F. No. 80, Joint resolution relative to memorializing Congress on behalf of the widow and heirs of the late Governor Burt.

C. F. No 90, A bill for an act to authorize J. C. Mitchell, A. J. Smith and M. H. Clark, to construct toll bridges.

C. F. No 95, A bill for an act to incorporate the Sweet Water toll bridge company.

The same having passed the House without amendment,

I have to inform you that the House concurs in the amendments proposed to H. F. Nos. 46 and 92.

J. W. PADDOCK, Chief Clerk,

C. F. No 93, Was taken up an act creating the offices and defining the duties of the Territorial Librarian, Auditor and Treasurer.

Said bill was amended, and

On motion, re-committed to the committee on Judiciary.

Mr. Mitchell, from the committee on Enrollments, to whom were referred,

C. F. Nos. 78 and 85, Reported back the same as correctly enrolled.

The following bills were taken up and severally disposed of as follows :

C. F. No 96 A bill for an act in relation to new counties.

Mr. Richardson moved to amend by striking out 'county judge' wherever it occurs, and insert 'judge of probate,' which was agreed to.

Said bill was read a third time, passed and title agreed to.

H. F. No. 20, Joint resolution relating to the printing and distribution of journals.

Ordered to be read a third time to-morrow.

H. F. No. 44, Joint resolution providing for the printing of the laws of the present session.

Mr. Richardson moved to amend section 2nd, as follows :

Annex, 'which when paid for is to be in full satisfaction of all claims for doing said work,' which was agreed to.

Said bill was read a third time, passed and title agreed to.

The resolution of instructions to the committee on printing, relative to the expediency of electing a public printer.

Also, the resolution instructing the Chief Clerk to report what prices he pays for printing, were taken up, and laid upon the table.

H. F. No 87, Joint resolution relating to the election of John H. Sherman and Joseph B. Strickland, as public printers.

Read a third time, passed and title agreed to.

H. F. No 106, An act granting to Stephen Cass a right to keep a ferry.

Ordered to a third reading for to-morrow.

H. F. No 130, An act incorporating the Blackbird town and ferry company, and defining the boundaries of Blackbird city.

Said bill was ordered to a third reading to-morrow.

C. F. No 103, An act establishing a common school system.

Ordered printed.

On motion, the Council took a recess till 2 o'clock P. M.

AFTERNOON SESSION.

Mr, Richardson called for the special order of the day, which was a bill relating to courts and their jurisdiction.

On motion, the Council resolved itself into committee of the whole, upou the consideration of said bill.

After some time spent therein, the committee arose, and by their Chairman reported back the bill with various amendmendments, and recommend its passage.

The amendments proposed by the committee were severally considered and partially concurred in.

Mr. Richardson offered the following amendment to sec, 105 :

'At Ft. Calhoun, in the county of Washington, on the third Tuesday after the second Tuesday of March, and the third Tuesday after the second Tuesday of October.'

Mr. Clark moved to amend by striking out 'Ft. Calhoun' and insert DeSoto,' which was lost.

Mr. Clark moved to lay amendment on the table.

On which motion the ayes and nays were ordered, and the result was as follows :

Ayes—Messrs. Clark, Mitchell, Rogers—3.

Nays—Messrs. Folsom, Goodwill, Jones, Richardson—4.

Mr. Rogers offered the following as a substitute :

'In Washington county, the second Tuesday in April, and the second Tuesday of November.'

On which the ayes and nays were ordered, and the result was as follows:

Ayes—Messrs. Bradford, Brown, Clark, Folsom, Goodwill, Jones, Mitchell, Richardson, Rogers—9.

Nays—Mr. Sharp—1.

So the substitute was adopted.

Mr. Richardson moved the following as an additional section.

'The Supreme Court shall be held annually at Omaha city, on the——day of ——and the——day of——.'

Mr. Rogers offered the following as a substitute:

'At the seat of Government.'

Mr. Brown moved to lay the substitute and amendment on the table.

On which motion the ayes and nays were ordered with the following result:

Ayes—Messrs. Bennet, Bradford, Brown, Clark, Jones, Mitchell, Nuckolls, Sharp—8.

Nays—Messrs. Folsom, Goodwill, Richardson, Rogers—4.

So the amendment and substitute were laid on the table.

Mr. Rogers introduced the following as an additional section, which was agreed to:

'The Supreme Court shall be held annually at the seat of Government of the Territory, on the second Tuesday of December and the second Tuesday of June.'

The bill was ordered engrossed for a third reading to-morrow.

On motion, the Council again resolved itself into committee of the whole on the special order, Mr. Richardson in the Chair.

After some time spent therein, the committee arose, and by their Chairman reported back the same, recommending the bills indefinitely postponed, in which the Council concurred.

H. F. No 68, An act to prohibit gambling was taken up, rule suspended, read a second time and referred to committee on Judiciary.

The following bills were taken up, rule suspended, read second and third time, passed and title agreed to.

H. F. No 96, An act organizing the county of Buffalo.

H. F. No 132, Joint resolution relative to clerks to the code commissioners.

H. F. No 130, An act to authorize E. R. Doyle and others to keep a ferry on the Elk Horn river.

Rule suspended, read a second time and referred to committee on Judiciary.

Mr. Mitchell, from the committee on Enrollments, to whom was referred,

C. F. No 1, 25, 79, 89, reported back the same as correctly enrolled.

Mr. Goodwill, on leave introduced the following:

*Resolved,* That the members of this Council shall pay, each their proportion of Mr. W. Robinson's bill for transmitting the mail as per agreement, amounting to twenty-four dollars, against both branches of the Legislative Assembly of Nebraska.

On motion, the Council adjourned.

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TUESDAY, MARCH 6, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Mr. Mitchell, from the committee on enrollments to whom was referred

C. F. Nos 23, 37, 80, 90, 95, reported back the same as correctly enrolled.

Mr. Richardson, from the committee on the judiciary, to whom was referred

H. F. No 115, a bill to provide for the collection of demands growing out of contracts for sales of improvements on the public lands,

Reported back the same, without amendment, recommending its passage.

Also, H. F. No 131, a bill to prevent trespasses upon claims on the public lands.

Also, H. F. No 121, a bill relative to the time of the taking effect of the laws of the present session, as not necessary to be passed.

Also, a bill relative to money of account and interest, recommending its passage, with the following amendments.

Sec. 3, 1st line, so as to allow 8 per cent.

Also. Sec. 4. 5th line, strike out "six" and insert "eight."

Also, by striking out the last clause in the last section.

H. F. No 102, a bill to prevent the sale of intoxicating liquors with several amendments, recommending its passage forthwith.

C. F. No 97, a bill to exempt personal and other property from forced sale, with amendments, recommending its passage.

Mr. Bennet, from the committee on the judiciary, to whom was referred

H. F. No 122, a bill to incorporate Kearney city, with an amendment, reported back the same recommending its passage as amended. Also,

C. F. No 69, a bill relating to corporations for pecuniary profit, recommending its indefinite postponement.

Also, C. F. No 98, a bill to provide for a territorial revenue, reporting back a substitute and recommending its passage.

Also, H. F. No 104, a bill entitled "fugitives from justice."

Also, H. F. No 116, a bill in relation to bond and other securities, with sundry amendments, recommending their passage.

Mr. Brown, from the committee on printing, to whom was referred a resolution of instructions on leave, submitted the following

REPORT:

Your committee are of opinion that such a bill as is required must, to be of any essential service to the community, comprise a complete criminal code, and as the short time to which our labors are limited precludes the idea of compiling such a code as would be satisfactory, we would recommend to your honorable body to adopt a code already compiled and printed, and from the fact that a large portion of the inhabitants of this Territory are more familiar with the code of Iowa than with any other, and that most of the general laws already adopted by this Legislature, are copied with little variation from the said code, and from the further consideration that the printed laws of Iowa are easily accessible to nearly the entire people of the Territory, your committee would recommend the adoption of the fourth part of the said code as part of the laws of this Territory, making such verbal changes as the nature of the case requires, and for that purpose ask leave to report the following bill:

C. F. No 106, a bill providing for the adoption of a criminal code.

Mr. Clark, from the committee on incorporations, to whom was referred,

H. F. No 112, a bill to regulate ferries and ferrymen, reported back the same with various amendments, recommending its passage.

Also, H. F. No 140, a bill to authorize E. R. Doyle and others to keep a ferry on the Elkhorn river, without amendment, recommending its passage.

Also, on leave, from the same committee,

C. F. No 107, a bill to establish a ferry.

Mr. Jones gave notice of a bill defining the duties of certain county officers.

Mr. Rogers gave notice of a bill defining the time of the regular sessions of the Legislative Assembly.

Mr. Clark, on leave, introduced the following:

*Resolved,* That his Excellency Gov. Izard be requested to call into immediate service two companies of mounted rangers in accordance with the joint resolution of the Council and House of Representatives.

Laid over under the rule.

The following bills and resolutions were taken up, and severally disposed of as follows:

The resolution relating to the introduction of new business into the Council.

Mr. Clark moved to amend by inserting "or any new business of whatever name or nature."

On motion of Mr. Mitchell,

The resolution and amendment were laid upon the table.

The resolution relating to paying for the transmission of mails was taken up, when

Mr. Goodwill offered the following substitute:

*Resolved,* That the Council shall pay or provide for the payment of 13-39ths of twenty-four dollars, being the amount of M. W. Robinson's bill for transmitting mail as per agreement.

Referred to the committee on expenditures.

Message from the House:

MR. PRESIDENT—I am directed to inform you that the House of Representatives have passed the following bills, and that the concurrence of the Council is respectfully requested therein:

H. F. No 144, an act defining the manner of surveying and establishing public roads.

H. F. No 145, a bill for an act to establish a territorial road from DeSoto to Pawnee.

I have to inform you that the House refuses to concur in the amendments proposed by the Council to

H. F. No 72, an act to define the boundaries and locate the seat of justice of Cuming county.

J. W. PADDOCK, Chief Clerk.

The following bills were taken up, and severally disposed of as follows:

C. F. No 106, a bill granting to Stephen Cass a right to keep a ferry.

Postponed for the present.

H. F. No 20, joint resolution relating to the printing and distribution of journals.

Read a third time, passed, and title agreed to.

H. F. No 130, a bill incorporating the Blackbird town and ferry company, and defining the boundaries of Blackbird city.

Read a third time, passed, and title agreed to.

C. F. No 107, a bill to incorporate the city of Tekamah.

On motion, read a first, second, and third time, passed, and title agreed to.

C. F. No 88, substitute, a bill regulating elections.

Read a third time.

H. F. No 144, a bill defining the manner of surveying and establishing public roads.

Read a first time.

H. F. No 145, a bill to establish a territorial road from DeSoto to Pawnee.

On motion, read a first and second time and referred to the committee on highways and bridges.

H. F. No 72, a bill to define the boundaries and locate the seat of justice of Cuming county.

The Council amendment to said bill, in which the House refused to concur, was considered and insisted upon.

H. F. No 112, a bill to regulate ferries and ferrymen.

The amendments proposed to said bill by the committee on incorporations, by whose chairman they were reported back, were considered and disagreed to.

On motion, referred to the committee on judiciary.

C. F. No 108, a bill to establish a ferry.

On motion, read a first and sacond time.

H. F. No 140, a bill to authorize E. R. Doyle and others to keep a ferry on the Elkhorn river.

Mr. Folsom moved to amend as follows:

"Provided, that this act shall not give the said corporators, their successors or assigns the right to keep any ferry or toll bridge within the limits of the county of Burt, as now bounded and established by law."

Which amendment was agreed to.

On motion of Mr. Goodwill,

Leave of absence was granted to Mr. Brown, until next Tuesday.

On motion,

The Council took a recess till 3 o'clock.

AFTERNOON SESSION.

Mr. Jones moved a call of the House which was had.

Messrs. Bennet, Nuckolls, Rogers and Clark absent.

The Sergeant-at-arms was dispatched for the absentees.

A quorum being present, the following bills were taken up and severally disposed of as follows:

C. F. No 106, a bill providing for the adoption of criminal code.

On motion, read a first and second time, and referred to the committee on judiciary.

Mr. Folsom, on leave, gave notice of a bill to locate a territorial road from the Missouri river at or near the city of Tekamah to the city of Fontenelle, and from thence to intersect the territorial road from Omaha to Fort Kearney, &c.

H. F. No 115, a bill to provide for the collection of demands growing out of contracts for sales of improvements on public lands.

Read a third time, passed, and title agreed to.

H. F. No 131, a bill to prevent trespasses upon claims on the public lands.

Read a third time, passed, and title agreed to.

H. F. No 121, a bill relative to the time of taking effect of the laws of the present session.

Indefinitely postponed.

C. F. No 99, a bill relating to money of account and interest.

The amendment proposed by the committee to Sec. 3, to insert in second line "eight," striking out "six" being considered,

Mr. Nuckolls moved to amend the amendment by inserting "ten."

On which the ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Bennet, Bradford, Brown, Nuckolls, Mitchell, Richardson, Rogers and Sharp—8.

Nays—Messrs. Clark, Folsom, Goodwill and Jones—4.

So the amendment was agreed to.

Said bill was ordered to be engrossed for a third reading.

C. F. No 102, a bill to prevent the manufacture or sale of intoxicating liquors.

Mr. Mitchell moved to lay the bill on the table.

On which the ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Folsom, Nuckolls and Mitchell—3.

Nays—Messrs. Bennet, Bradford, Brown, Clark, Goodwill, Jones, Richardson, Rogers and Sharp—9.

So the motion to lay on the table was lost.

Mr. Nuckolls moved to postpone the bill till the 12th of March.

Which motion was lost.

Mr. Mitchell moved to amend the bill by inserting "good liquor."

Mr. Brown moved to lay the amendment on the table.

On which the ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Bennet, Bradford, Brown, Folsom, Goodwill, Jones, Richardson, Rogers and Sharp—9.

Nays—Messrs. Clark, Nuckolls and Mitchell—3.

So the amendment was laid on the table.

Mr. Mitchell moved that the Council adjourn.

On which the ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Nuckolls and Mitchell—2.

Nays—Messrs. Bennet, Bradford, Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers and Sharp—10.

So the motion was lost.

Mr. Mitchell moved to postpone further consideration of the bill until Monday.

Mr. Jones moved to lay the motion on the table.

On which the ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Bennet, Bradford, Brown, Clark, Folsom, Goodwill, Jones, Richardardson, Rogers and Sharp—10.

Nays—Messrs. Nuckolls and Mitchell—2.

So the motion was laid on the table.

Mr. Mitchell moved to postpone further consideration till Saturday, 2 o'clock.

Mr. Brown moved to lay the motion on the table.

On which the ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Bennet, Bradford, Brown, Clark, Folsom, Goodwill, Jones, Richardson, Rogers and Sharp—10.

Nays—Messrs. Nuckolls and Mitchell—2.

Mr. Brown moved the previous question.

Mr. Mitchell raised a point of order.

On which the ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Bennet, Bradford, Brown, Clark, Folsom, Goodwill, Richardson, Rogers and Sharp—9.

Nays—Messrs. Jones, Nuckolls and Mitchell—3.

The amendments proposed by the committee were severally considered and agreed to.

The question being taken on ordering the bill engrossed for a third reading.

Mr. Mitchell appealed from the decision of the chair.

On which the ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Bennet, Bradford, Brown, Clark, Folsom, Goodwill, Jones, Richardson and Sharp—9.

Nays—Mr. Nuckolls.

So the opinion of the chair was sustained.

The bill was ordered engrossed for a third reading.

Mr. Clark, on leave, introduced

C. F. No 109, joint resolution and memorial for right of way, and a grant of land to the Pacific and Platte Valley railroad company.

Said bill was taken up, rule suspended, read second and third time by the title, passed and title agreed to.

On motion the Council adjourned.

WEDNESDAY, MARCH 7, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Message from the House.

MR. PRESIDENT—I have to inform you that the House of Representatives has passed the following bills, and that the concurrence of the Council is respectfully requested therein :

H. F. No 148, an act to incorporate the city of Plattsmouth.

H. F. No 149, an act to incorporate the city of Chester, in Lancaster county.

H. F. No 102, an act to establish a ferry across the Missouri river opposite the mouth of Noheart creed, in Burt county.

H. F. No 103, a bill to authorize Samuel Hoker and others to keep a ferry or toll bridge on the Platte river.

H. F. No 133, an act to provide for printing and distributing the laws, journals and joint resolutions of the Territory.

H. F. No 136, an act to define the boundaries and locate the seat of justice of Gage county.

H. F. No 137, an act to view and mark out a territorial road from Plattsmouth to the Kansas line.

H. F. No 138, an act to view and lay out a county road in Cass county.

H. F. No 142, an act to view and mark out a county road from Nebraska city to Wyoming city in Otoe county.

H. F. No 146, a bill for an act to incorporate the Salt creek hydraulic and milling company.

H. F. No 147, an act to regulate proceedings to recover possession of claims on the public lands.

H. F. No 150, preamble and joint resolution relative to requesting the war department to order troops to the frontier.

I herewith return you

C. F. No 101, a bill for an act to incorporate the city of Florence,

The same having passed the House without amendment.

J. W. PADDOCK, Chief Clerk.

Mr. Bennet introduced the following :

*Resolved,* by the Council and House of Representatives of the Territory of Nebraska, That Monday, the 12th day of March, A. D. 1855, be and the same is hereby fixed upon for the final adjournment of this session.

On motion, read the first and second time.

Mr. Bennet moved that the bill be read a third time.

On which motion the ayes and nays were ordered and resulted as follows :

Ayes—Messrs. Bennet, Bradford, Brown, Nuckolls and Sharp—5.

Nays——Messrs. Clark, Folsom, Goodwill, Jones, Mitchell, Richardson and Rogers—7.

So the motion was lost.

Mr. Bradford offered the following:

*Resolved,* That the committee on territorial affairs be instructed to prepare and report a bill establishing rates of toll on ferries and bridges wherever the same is not already established by law, and making all needful regulations concerning ferries and toll bridges.

Laid over under the rule.

Mr. Clark offered the following:

Resolved, That no new business be introduced or considered after this day by the Council.

Laid over under the rule.

Mr. Folsom introduced, on leave,

C. F. No 111, a bill to establish and locate a territorial road from the Missouri river, at or near Tekamah, to Fontenelle, and from thence to Pawnee.

On motion, read a first, second and third time, passed, and title agreed to.

Mr. Clark on leave, introduced

C. F. No 112, a bill to lay out a territorial road from Bellevue via Iron Bluffs, Dodge city, Fontenelle to Catherine in Cuming county.

On motion, read a first, second and third time, passed and title agreed to.

Mr. Rogers introduced

C. F. No 113, a bill to incorporate the town of Brownville, Nemaha county.

On motion, read a first, second and third time, passed, and title agreed to.

Also, C. F. No 114, a bill defining the time of the regular session of the Legislative Assembly.

On motion, read a first, second and third time, passed, and title agreed to, with the following amendment:

Fill the blank with "the first Monday in January," offered by Mr. Goodwill.

Mr. Folsom, from the committee on highways and bridges, to whom was referred

H. F. No 94, a bill to locate a territorial road.

Mr. Mitchell, from the committee on territorial affairs, reported the following bill.

C. F. No 115, a bill to provide for the support of the poor.

Also, from the committee on enrollments to whom was referred

C. F. No 99, reported back the same as correctly engrossed.

The following bills were taken up and severally disposed of as follows:

H. F. No 148, an act to incorporate the city of Plattsmouth.

On motion, read a first, second and third time, passed, and title agreed to.

H. F. No 149, an act to incorporate the city of Chester in Lancaster county.

On motion, read a first and second time.

Mr. Bennet moved to lay the bill on the table.

Which motion was lost.

Mr. Nuckolls moved to refer to the committee on incorporations.

Mr. Bennet moved that the bill be indefinitely postponed.

Which motion, on a division, was lost.

The question recurring on the motion to refer to the committee on incorporations,

The bill was so referred.

H. F. No 102, a bill to establish a ferry across the Missouri river opposite the mouth of Noheart creek, in Burt county.

On motion, read a first, second and third time, passed, and title agreed to.

H. F. No 103, a bill to authorize Samuel Hohn, Harvey Queen and their associates to keep a ferry or toll bridge on Platte river.

Read a first time, and

On motion of Mr. Clark,

Laid upon the table.

H. F. No 133, an act to provide for the printing and distributing the laws, journals and joint resolutions of this Territory.

On motion, read a first, second and third time, passed and title agreed to.

H. F. No 137, an act to view and mark out a territorial road from Plattsmouth to the Kansas line.

On motion, read a first and second time.

Mr. Nuckolls moved to refer the bill to a select committee.

Mr. Folsom moved to refer to the committee on territorial affairs,

Which motion was lost.

The question recurring on the motion to refer to a select committee the motion was so agreed to.

Messrs. Nuckolls, Goodwill and Bradford were appointed such committee.

H. F. No 136, an act to define the boundaries and locate the seat of justice of Gage county.

On motion, read a first and second time.

Mr. Nuckolls moved to amend by striking out the name of "John B. Robertson," and inserting "N. J. Sharp."

Mr. Nuckolls moved to amend by striking out in Sec. 5, "three dollars," and inserting "one dollar."

Mr. Bradford moved to amend by striking out "mileage."

On motion said bill with the proposed amendments were referred to the committee on incorporations.

On motion, the Council took a recess till 2 o'clock.

AFTERNOON SESSION.

Mr. Nuckolls moved a call of the House which was had.

Messrs. Bradford, Brown, Mitchell and Richardson present.

The Sergeant-at-arms was dispatched for the absentees.

A quorum being present the following bills were taken up, and severally disposed of as follows:

H. F. No 138, an act to view and lay out a road in Cass county.

On motion, read a first and second time, and referred to the committee on highways and bridges.

H. F. No 142, an act to view and mark out a county road from Nebraska city to Wyoming city, in Otoe county.

On motion of Mr. Nuckolls,

Laid on the table.

H. F. No 146, a bill for an act incorporating the Salt creek hydraulic milling and bridge company.

On motion of Mr. Clark,

Laid on the table.

Mr. Jones, on leave, introduced

C. F. No 116, a bill for an act to locate a territorial road.

On motion, read a first, second and third time, passed, and title agreed to.

Mr. Bennet, on leave, introduced

C. F. No 117, a bill for an act to establish a Territorial road from Nebraska city to new Fort Kearney.

On motion, read a first, second and third time, passed, and title agreed to.

H. F. No 147, an act to regulate proceedings to recover possession of claims on the public lands.

Read a first time.

H. F. No 150, preamble and joint resolution relative to requesting the War Department to order troops to the frontier.

On motion, read a first and second time, and referred to the committee on military affairs.

H. F. No 144, an act defining the manner of surveying and establishing public roads.

Read a second time, and referred to the committee on highways and bridges.

Mr. Bennet moved to reconsider the vote by which

H. F. No 150, preamble and joint resolution relating to troops for the frontier, which was agreed to.

C. F. No 99, a bill relating to money of account and interest.

Read a third time, passed and title agreed to.

H. F. No 140, an act to authorize E. R. Doyle and others to keep a ferry on the Elkhorn river.

Read a third time, passed, and title agreed to.

The resolution relating to requesting Gov. Izard to call into service two companies of mounted rangers was taken up.

Mr. Mitchell moved to amend by inserting "one or more companies."

Mr. Goodwill moved to amend by inserting "if he deems it necessary."

Which amendments were agreed to.

The question recurring on the passage of the resolution,

The ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Bennet, Clark, Goodwill and Mitchell—4.

Nays—Messrs. Bradford, Brown, Folsom, Jones, Nuckolls, Richardson, Rogers and Sharp—8.

So the resolution was rejected.

Message from the Executive, by Mr. Secretary Izard:

Mr. President—I am instructed by the Governor to inform your honorable body that he has approved and signed the following bills, resolutions, and memorials, viz:

C. F. No 25, entitled an act to restrain sheep and swine from running at large.

C. F. No 89, entitled, an act to establish the boundaries and locate the seat of justice of Cass county.

C. F. No 23, entitled an act defining the boundaries of counties herein named, and for other purposes.

C. F. No 79, joint resolution and memorial asking for an appropriation for marine hospitals, &c.

C. F. No 87, joint resolution relative to settlers and emigrants.

C. F. No 80, joint resolution in relation to the widow and heirs of Governor Burt.

C. F. No 1, joint resolution in relation to the construction of a railroad to the Pacific.

The following bills were taken up and severally disposed of as follows:

C. F. No 106, a bill providing for the adoption of a criminal code.

Referred to the committee on judiciary, with instructions to report on the 9th inst.

C. F. No 88, substitute, a bill regulating elections.

Ordered to be engrossed for a third reading.

C. F. No 115, a bill for an act to provide for the support of the poor.

On motion, read a first and second time, and referred to the committee on judiciary.

C. F. No 94, a bill to locate a territorial road.

Mr. Clark moved to amend by inserting "Nebraska Centre," as the western terminus, and that A. J. Smith, M. H. Clark and L. Miller be appointed commissioners to locate the road from Marshall's Trading post to the terminus of said road.

Which amendments were agreed to.

Said bill was ordered to be engrossed for a third reading.

H. F. No 120, an act to authorize S. F. Burtch, A. S. Haines, G. L. Eyre, and associates to keep a toll bridge or ferry across the Platte river.

Mr. Sharp moved to amend

Sec. 1, by adding "Provided further that nothing in this act shall be so construed as to conflict with rights or privileges heretofore conferred upon other bridge or ferry companies."

Which was agreed to.

On motion, read a third time, passed, and title agreed to.

C. F. No 97, a bill for an act to exempt personal and other property from forced sale.

Mr. Rogers moved to amend Sec. 1, as follows :

"Collection of debts in this territory are hereby abolished, and all laws on that subject are hereby repealed."

Mr. Goodwill moved to lay the amendment upon the table.

On which the ayes and nays were ordered and resulted as follows :

Ayes—Messrs. Bennet, Brown, Clark, Folsom, Goodwill, Jones and Richardson—7.

Nays—Messrs. Bradford, Nuckolls, Rogers and Sharp—4.

So the amendment was laid on the table.

Mr. Nuckolls moved to lay the bill on the table.

On which the ayes and nays were ordered and resulted as follows :

Ayes——Messrs. Bennet, Bradford, Brown, Nuckolls, Mitchell, Rogers and Sharp—7.

Nays—Messrs. Clark, Folsom, Goodwill, Jones and Richardson—5.

So the bill was laid on the table.

C. F. No 116, substitute, a bill for an act to provide for a territortal revenue.

Mr. Sharp moved to amend Sec. 2, by filling the blank with "three."

On which the ayes and nays were ordered and resulted as follows :

Ayes—Messrs. Jones, Mitchell, Richardson, Rogers and Sharp—5.

Nays—Messrs. Bennet, Bradford, Brown, Clark, Folsom, and Nuckolls—6.

So the amendment was lost.

Mr. Bennet moved to amend by filling the blank with "two."

Which was agreed to.

Mr. Bennet moved to amend Sec. 3, by inserting "the first day of December and May," in the blank.

Which was agreed to.

Mr. Rogers moved to amend Sec. 4, by filling the blank with "fifty per cent."

Which was agreed to.

Mr. Sharp moved to amend Sec. 2, by striking out "cash," and inserting "specie."

Which was agreed to.

Said bill was ordered to be engrossed for a third reading.

On motion, the Council adjourned till 10 o'clock, Friday morning.

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FRIDAY MARCH 9th, 1855.

MORNING SESSION.

Mr. Rogers, from the committee on Judiciary, to whom was referred,

C. F. No. 93, An act creating the offices and defining the duties of the Territorial Librarian, Auditor and Treasurer, reported back the same with various amendments, recommending its passage.

Mr. Bennet, from the committee on Judiciary, to whom was referred,

C. F. No. 115, A bill to provide for the support of the poor.

Also, C. F. No 105, A bill for an act defining the duties of Judge of Probate, reported back the same with amendments, recommending their passage.

Also, C. F. No 98, A bill for an act to provide for a Territorial revenue.

C. F. No 106, A bill providing for the adoption of a criminal code, reporting back substitutes for the same, recommending their passage.

Also, H. F. No. 68, An act to prohibit gambling and gambling houses without amendment, recommending its passage.

Mr. Bennet also reported from the committee on Enrollments,

C. F. Nos. 68, 88, 102, 116, as correctly engrossed.

Mr. Nuckolls, from the select committee, to whom was referred,

H. F. No 137, An act to view and mark out a territorial road from Plattsmouth to the Kansas line, reported back the same without amendment, recommending its passage.

Mr. Jones, on leave introduced,

C. F. 117, A bill defining the duties of Sheriffs and other officers.

On motion, read a first and second time, and referred to the committee on Judiciary.

The following bills were taken up, and severally disposed of as follows:

H. F. No 147, An act to regulate proceedings to recover possession of claims on the public lands.

On motion, read a first and second time, and referred to the committee on Judiciary.

On motion of Mr. Rogers,

Leave of absence was granted to O. D. Richardson for the remainder of the week.

The resolution relating to the introduction of new business, was,

On motion of Mr. Jones, laid upon the table.

The resolution of instructions to the committee on Territorial Affairs, was,

On motion of Mr. Goodwill,

Referred to the committee on finance, ways and means.

C. F. No 110, Joint resolution relative to the final adjournment of this session.

Read a third time.

Mr. Bennet moved a call of the House, which, being taken, Mr. Clark was absent.

On motion of Mr. Bennet,

All further proceedings under the call were dispensed with.

The question being taken on the passage of the resolution, the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bennet, Bradford, Cowles, Nuckolls, Mitchell, Sharp—6.

Nays—Messrs. Clark, Folsom, Goodwill, Jones, Rogers—5.

So the resolution was passed, and title agreed to.

The following bills were taken up, and severally disposed of as follows:

C. F. No 116, Substitute, a bill to provide for a territorial revenue.

Read a third time, passed and title agreed to.

C. F. No 88, A bill regulating elections.

Read a third time, passed and title agreed to.

C. F. No. 68, A bill relating to courts and their jurisdiction.

C. F. No 102, A bill to prevent the sale or manufacture of intoxicating liquors.

Read a third time.

The question being taken on the passage of the bill, the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bennet, Bradford, Clark, Cowles, Folsom, Goodwill, Jones, Rogers, Sharp—9.

Nays—Messrs. Nuckolls, Mitchell—2.

So the bill was passed and title agreed to.

Mr. Mitchell, on leave from the committee on Enrollments, to whom was referred,

C. F. Nos. 10, 94, Reported back the same as correctly engrossed.

Mr. Clark, on leave introduced,

H. F. No 113, A bill to incorporate the Florence land company.

C. F. No 108, A bill to establish a ferry.

Read a third time, passed and title agreed to.

C. F. No 94, A bill to locate a Territorial road.

Read a third time, passed and title agreed to.

Mr. Mitchell, from the committee on highways and bridges, on leave reported back,

C. F. No 119, A bill to lay out and establish a territorial road from Florence in Douglas county, to Fontanelle in Dodge county.

On motion, read a first, second and third time, passed and title agreed to.

Mr. Folsom, on leave introduced,

C. F. No 120, A bill to incorporate the town of Elizabeth, in Dodge and Loupe counties.

On motion, read a first, second and third time, passed and title agreed to.

C. F. No. 93 A bill creating the offices and defining the duties of the Territorial Librarian, Auditor and Treasurer.

The following amendments proposed by the judiciary committee, were severally considered and adopted.

Sec. 1, 5th line ; strike out 'biennially.'

" " 7t line ; strike out all after the word 'Council.'

Sec. 3, Insert by annexing 'and shall preserve regular files of all the newspapers published in the Territory, at the expense of the Territory.

Sec. 4, 2d line ; strike out 'biennially.'

Sec. 4, 4th line ; strike out all after the word 'Council.'

Sec. 17, 2d line ; strike out 'biennially,'

Sec. 17, 4th line ; strike out all after the word 'Council.'

Sec. 27, 2d line ; after the word 'fuel' insert 'room.'

Also, by annexing,

Sec. 28, The said Librarian. Auditor and Treasurer, shall be elected at the first general election, to be held in the year 1855, and biennially thereafter, and shall hold their offices respectfully until the first day of January, 1857, and until their successors are elected and qualified, provided that those officers when first appointed by the Governor, shall hold their offices until the first day of January, 1856.

Said bill was ordered to be engrossed for a third reading.

C. F. No 106, Substitute, a bill for an act relative to criminal law.

On motion, read a first, second and third time, passed and title agreed to.

C. F. No 115, A bill to provide for the support of the poor.

Mr. Rogers moved that the Council take a recess—Lost.

Mr. Jones moved to amend sec. 3, by inserting 'provided the poor person should desire to return to the county from which he came, which amendment was lost.

Mr. Folsom moved to amend by annexing the following as an additional section:

In case any poor person shall receive temporary relief or permanent support as provided by this act, or in case it shall be ascertained that such poor person claiming support at the public expense has sufficient means of support or shall be legally chargeable to any other person or county, then the expense may be collected from such person or county, according to law.

Mr. Nuckolls moved to lay the amendment on the table.

On which the ayes and nays were ordered, and the result was as follows :

Ayes—Messrs. Bennet, Bradford, Cowles, Jones, Nuckolls, Mitchell, Rogers, Sharp—8.

Nays—Messrs. Clark, Folsom, Goodwill—3.

So the amendment was laid on the table.

The question being taken on ordering the bill to a third reading, the ayes and nays were ordered, with the following result:

Ayes—Messrs. Bennet, Bradford, Clark, Cowles, Folsom, Goodwill, Jones, Nuckolls, Mitchell, Rogers—10.

Nays—Mr. Sharp—1.

So the bill was ordered to a third reading.

On motion, the Council took a recess till 3 o'clock.

AFTERNOON SESSION.

H. F. No. 68, was taken up a bill prohibiting gambling and gambling houses.

Read a third time, passed and title agreed to.

C. F. No 98, Substitute a bill to provide for a county revenue.

On motion, read a first, second and third time.

Mr. Jones moved to fill the blank in section 1, with 'July,' which was agreed to.

Mr. Bennet moved to fill the blank in sec. 4, with 'the first Monday in September,' which was agreed to.

Mr. Jones moved to fill the blank in sec. 5, with 'the first day of December.'

Mr. Bennet moved to fill the blank in sec. 1, by inserting 'five,' which was agreed to.

Said bill was passed, and title agreed to.

C. F. No. 105, A bill defining the duties of Judge of Probate.

The amendment proposed by the committee on Judiciary, was considered and was as follows:

Sixth line of sec. 1, strike out the words 'at all usual times' and insert 'between the hours of 9 o'clock A. M. and 4 o'clock P. M., on Monday and Tuesday of each week.'

Mr. Bennet offered the following as a substitute, which was adopted, by inserting 'between the hours of 9 o'clock A. M. and 4 o'clock P. M. on Monday of each week, with discretionary power to adjourn over until Tuesday, but the term shall not exceed two days in each week, but in his capacity as Justice of the Peace, his office shall be deemed always open.'

Said bill was read a third time, passed and title agreed to.

H. F. No 122, A bill to incorporate Kearney city.

The following amendment reported by the committee on Judiciary, was considered and concurred in:

'Provided that nothing in this act shall be so construed as to conflict with an act to incorporate Nebraska city.'

Mr. Mitchell, on leave reported a bill from the committee on Territorial Affairs.

C. F. No 121, A bill to authorize the Governor to appoint emigrant agents.

On motion, read a first and second time.

Mr. Bennet offered an amendment, when

Mr. Nuckolls moved to lay the amendment and bill on the table,

On which motion the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bennet, Bradford, Cowles, Nuckolls, Sharp—5.

Nays—Messrs. Clark, Folsom, Goodwill, Jones, Mitchell, Rogers—6.

So the motion was lost.

The question recurring upon the amendment,

Mr. Folsom moved to lay the amendment upon the table,

On which the ayes and nays were ordered, and resulted as follows :

Ayes—*M*essrs. Clark, Folsom, Goodwill, Jones, Mitchell, Rogers—6.

Nays—*M*essrs. Bennet, Bradford, Cowles, Nuckolls, Sharp—5.

Said bill was ordered to a third reading.

H. F. No 104, An act entitled 'fugitives from justice.'

The amendment proposed by the committee on Judiciary was considered, which was as follows :

Last line of sec. 1, strike out 'Secretary' and insert 'Auditor of public accounts,' and was adopted.

Said bill was ordered to a third reading.

H. F. No. 137, A bill in relation to bond and other securities was taken up.

The amendment proposed by the committee on Judiciary, which was as follows :

Fourth line of Sec. 4 ; strike out 'county commissioner' and insert 'Judge of Probate' was adopted.

Said bill was ordered to a third reading.

Mr. Clark, from committee on Incorporations, on leave reported,

H. F. No 149, A bill to incorporate the city of Chester, in Lancaster county, recommending its passage.

On motion, was read a third time, passed and title agrred to.

C. F. No 69, A bill relating to corporations for pecuniary profit, was taken up.

The report of the committee on the Judiciary, to whom it was referred, recommending its indefinite postponement, was adopted.

The consideration of said bill was therefore indefinitely postponed.

Mr. Mitchell, on leave introduced,

C. F. No 118, A bill to incorporate the Florence land company.

On motion, read a first, second and third time, passed and title agreed to.

On motion of Mr. Clark, leave of absence was granted to Mr. Bennet until Thursday next.

On motion of Mr. Nuckolls,

The Council adjourned till Monday morning, 10 o'clock.

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MONDAY, MARCH 12th, 1855.

MORNING SESSION.

The Council met pursuant to adjournment.

Message from the House :

Mr. President :—I am directed to inform you that the House of Representatives has passed the following bills, in which it asks concurrence on the part of the Council :

H. F. No 111, an act prohibiting the settlement of free negroes and mullattoes in the Territory of Nebraska.

H. F. No 128, substitute, an act for taking census, making apportionment, holding elections and other purposes.

H. F. No 143, an act to regulate marks and brands.

H. F. No 155, Joint resolution relating to expenses incurred and how provided for.

I have to inform you that the House has passed the following bills from the Council, without amendment.

C. F. 44, Joint resolution providing for the printing of the Laws of the present session.

C. F. 96, A bill for an act in relation to new counties.

C. F. 102, A bill for an act to prevent the sale or manufacture of intoxicating liquors.

C. F. 108, A bill for an act to establish a ferry.

C. F. 117, A bill for an act to establish a Territorial Road from new Fort Kearny to Nebraska City.

I have also to inform you that the House has passed

C. F. No 62, a bill for an act to incorporate the Sioux City Ferry Company. With the following amendment.

Annex to Sec. 5—provided said six miles North shall not conflict with a law previously passed granting to J. M. Crockwell a right to keep a ferry at Dacotah.

Also, C. F. No. 110, Joint resolution relative to the final adjournment of this session. With the following amendment.

Strike out Monday March 12th, and insert Friday March 16th at 12 o'clock P. M. in which the Council is requested to concur.

I have to inform you further that the House concurs in the amendment proposed by the Council to H. F. No 120, an act to authorize S. F. Burtch, A. S. Harris, G. S. Eayre and associates to keep a ferry across the Platte River,

I have to inform you further that the House has appointed Messrs. Poppleton, Byers and Robertson a commmittee to confer with a like committee on the part of the Council, in reference to sundry amendments proposed and rejected to an act organizing Cuming county.

J. W. PADDOCK Chief Clerk.

Mr Cowles from the committee on highways and bridges to whom was referred.

H. F. No. 90, an act to locate a territotial road from DeSoto to Pawnee, reported back the same without amendmeut recommending their passage.

Also, H. F. No 138, an act to view and lay out a county road in Cass county.

Also, the petition of Mr Corfield for a ferry at Rock Bluffs in Cass county.

Also, C. F. No. 77, a bill to locate a territorial road from Nebraska City to Fort Kearney.

Also, the petition for a road from Dakotah to the Sand Butes.

Also, the petition for a road from Dakotah to Fort Kearney—recommending that they be laid upon the table.

Mr Jones, on leave, introduced

C. F. No. 123, a bill to provide for publishing and distributing the laws.

On motion read a first and second time and referred to the committee on judiciary.

Mr. Folsom, on leave introdcced

C. F. No. 124, a bill to locate and establish a Territorial Road from the Platte River to Dakotah.

On motion, read a first, second, and third time, passed, and title agreed to.

The following bills were taken up and severally disposed of as follows :

H. F. No 111, an act prohibiting the settlement of free negroes in the Territory of Nebraska.

On motion, read a first and second, time and referred to the committee on judiciary.

H. F. No 128, Substitute, an act for taking the census, making apportionment, holding elections and other purposes, read the first time.

H. F. No 143, A bill to regulate marks and brands, read the first time.

H. F. No 155, Joint resolution relating to expenses incurred and how provided for,

On motion, read a first and second time, and referred to the committee on finance, ways and means.

C. F. No 62, An act to incorporate Sioux City.

The amendments proposed by the House to said bill were considered and concurred in.

C. F. No 110, Joint resolution relative to the final adjournment of this session.

The amendment proposed to said bill was under consideration when

Mr. Sharp moved to lay the bill and the amendment upon the table.

On which the ayes and nays were ordered, and resusted as follows:

Ayes—Messrs. Cowles, Jones, Sharp—3

Nays—Messrs. Bradford, Folsom, Richardson, Rogers—4.

So the motion was lost.

Mr. Jones, moved that the bill be indefinitely postposed.

Which motion, on a division, was lost.

Mr. Sharp, moved to pospone till Thursday next, at 2 o'clock.

Which was agreed to.

Mr. Rogers, from the committee on the judiciary to whom was referred

H. F. No 117, An act to incorporate Wyoming City, reported the same back and recommended its passage.

H. F. No 104, Was taken up, an act entitled fugitives from Justice.

Read a third time, passed and title agreed to.

C. F. No 103, Was taken up, an act to establish the Common School system.

On motion of Mr. Jones,

The Council resolved itself into committee of the whole, Mr. Cowles in the chair, for the consideration of said bill,

After some time spent therein, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again,

On motion, the Council took a recess till 2 o'clock,

AFTERNOON SESSION.

On motion, the Council resolved itself in committee of the whole for the further consideration of the bill pendiug which they had taking a recess-

After some time spent therein, the committee arose, and, by their chairman reported back the bill with sundry amendments recommending its passage.

On motion, the Council concurred in the amendments proposed by the committee, and said bills was ordered to be engrossed for a third reading.

Mr. Mitchell, from the committee on enrollments to whom was referred

C. F. No 10, reported back the same as correctly enrolled.

C. F. No 115, was taken up, a bill to provide for the support of the poor, read a third time. passed and title agreed to.

H. F. No 116, was taken up, an act in relation to bond and other securities.

Mr. Cowles, moved to postpone its further consideration until Thursday next,

Which motion, on a division, was agreed to.

H. F. No 117, was taken up, an act to incorporate Wyoming City, read a third time, passed, and title agreed to.

Mr. Jones, on leave introduced

C. F. No 125, A bill to provide for laying out towns,

On motion, read a first and second time, and referred to the committee on judiciary.

C. F. No 121, was taken up, a bill authorizing the Governor to appoint Emigrant Agents, read a third time, passed, and title agreed to.

H. F. No 90, was taken up, an act to secure the right of way in certain cases, read a third time, passed, and title agreed to.

H. F. No 145, was taken up, a bill to establish a Territorial road from DeSoto to Pawnee, read a third time.

Mr. Richardson, moved to reconsider the vote by which said bill was ordered to a third reading.

Which motion, on a division, was lost.

Said bill was passed, and title agreed to.

H. F. No 138, Was taken up, a bill to view and lay out a county road in Cass county.

Laid on the table.

C. F. No 74, Was taken up, a bill to locate a Territorial road from Nebraska City to Fort Kearney.

Laid on the table.

Mr. Richardson, on leave introduced

C. F. No 126, A bill relating to defects in the style of the laws.

On motion, read a first and second time.

On motion, the Council adjourned.

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TUESDAY, MARCH 13, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Mr. Richardson from the committee on judiciary to whom was referred

H. F. No 147, a bill regulating proceedings to recover possession of claims, &c. reported back the same recommending its indefinite postponement.

Also, C. F. No 117, a bill defining the duties of sheriffs, &c. without amendment, recommending its passage.

Mr. Mitchell, from the committee on territorial affairs, to whom was referred

C. F. No 3, joint resolution and memorial for the establishment of certain mail routes, &c. with substitutes.

C. F. No 70, a bill to establish a road from a point opposite Council Bluffs City to a point opposiie new Fort Kearney, recommending that the latter be laid on the table, and the former indefinitely postponed.

Mr. Sharp, on leave, introduced

C. F. No 127, a bill to authorize Lorin Miller to erect a toll bridge.

On motion, read a first, second and third time, passed, and title agreed to.

H. F. No 128, substitute, was taken up, an act for taking the census, making appointments, holding elections, and other purposes.

Read a second time and referred to the committee on judiciary with instructions to report to-morrow morning.

H. F. No 143, was taken up, an act to regulate marks and brands.

Read a second time, and on motion indefinitely postponed.

Mr. Mitchell, from the committee on enrollments, to whom was referred

C. F. No 44, reported back the same as correctly enrolled.

Mr. Cowles from the committee on highways and bridges, to whom was referred

An act defining the manner of surveying and establishing public roads, reported back the same recommending its passage :

Message from the House:

MR. PRESIDENT—I am instructed to inform you that the House of Representatives has passed the following bills, in which the concurrence of the Council is respectfully requested:

H. F. No 152, an act supplementary to an act to incorporate Bellevue.

H. F. No 154, a bill defining the standard of weights and measures.

H. F. No 166, an act to incorporate the Franklin insurance company.

H. F. No 165, an act to incorporate the Nebraska city collegiate and preparatory institute.

H. F. No 159, substitute, an act to organize the militia.

H. F. No 153, joint resolution relative to authorizing the Secretary of the Territory to issue drafts on the Auditor of the Territory.

H. F. No 157, an act to incorporate the city of Lawrence in the county of York. H. F. No 164, an act to incorporate Jalapa city in Dodge county.

H. F. No 158, an act to incorporate the city of Carlisle, in Greene county.

H. F. No 162, an act to govern pleadings and practice in courts of justice in the Territory of Nebraska. I herewith return you

C. F. No 68, a bill relating to courts and their jurisdiction.

C. F. No 94, a bill to locate a territorial road.

C. F. No 99, a bill for an act relative to money of account and interest.

C. F. No 107, a bill for an act to incorporate the city of Tekamah.

C. F. No 100, joint memorial and resolution asking for a grant of land to the Platte Valley and Pacific railroad.

C. F. No 111, an act to locate and establish a territorial road from the Missouri river at or near Tekamah to Fontanelle and from thence to Pawnee.

C. F. No 112, a bill for an act to lay out a territorial road from Bellevue via Iron Bluffs, Dodge City, Fontenelle, to Catharine, in Cuming county."

C. F. No 113, a bill for an act to incorporate the town of Brownville, Nemeha county.

C. F. No 116, a bill for an act to locate a territorial road.

C. F. No 119, a bill for an act to lay out and establish a territorial road from Florence in Douglas county, to Fontenelle, in Dodge county.

C. F. No 120, a bill for an act to incorporate the town of Elizabeth, in Dodge and Loupe counties.

The same having passed the House without amendment.

I have also to inform you that the House concurs in the amendment proposed by the Council to H. F. No 122, an act to incorporate Kearney city.

J. W. PADDOCK, Chief Clerk.

The following bills were taken up and severally disposed of as follows:

C. F. No 103, an act establishing the common school system.

Read a third time, passed, and title agreed to.

C. F. No 126, a bill relating to defects in the style of laws.

Read a third time, passed, and title agreed to.

C. F. No 93, an act creating the offices and defining the duties of the territorial librarian, auditor and treasurer.

Read a third time, passed, and title agreed to.

H. F. No 152, an act supplementary to an act to incorporate Bellevue city.

On motion, read a first, second, and third time, passed, and title agreed to.

H. F. No 154, a bill defining the standard of weights and measures.

Read a first time.

Message from the Executive by Mr. Secretary Izard:

Mr. President—I am instructed by the Governor to inform your honorable body that he has approved and signed the following bill:

C. F. No 100, entitled an act to incorporate the city of Florence.

The following bills were taken up and severally disposed of as follows:

H. F. No 166, an act to incorporste the Franklin insurance company.

Read a first time.

H. F. No 165, a bill to incorporate the Nebraska city collegiate and preparatory institute. Read a first time.

H. F. No 159, substitute, a bill to organize the militia.

Read the first time.

H. F. No 153, joint resolution relative to authorizing the Secretary of the Territory to issue drafts on the Auditor of the Territory.

On motion, read a first and second time, and referred to the committee ou the judiciary.

H. F. No 157, a bill to incorporate the city of Lawrence, in the county of York,

Read the first time.

Mr. Bennet moved to lay the bill upon the table.

The ayes and nays were ordered and resulted as follows :

Ayes—Messrs. Bennet, Bradford, Cowles and Jones—4.

Nays—Messrs. Folsom, Goodwill, Nuckolls, Mitchell, Richardson, Rogers and Sharp—7.

So the motion was lost.

H. F. No 164, a bill to incorporate the city of Carlisle, in Green county.

Read a first time.

H. F. 164, a bill to incorporate Jalapa city, in Dodge county.

On motion, read a first, second and third time, passed, and title agreed to.

H. F. 162, an act to govern pleadings and practice in courts of justice in the Territory of Nebraska.

On motion, read a first and second time, and referred to the committee on judiciary.

Mr. Mitchell, from the committee on enrollments reported back the bill incorporating Sioux city as correctly enrolled.

The following bills were severally taken up and disposed of as follows:

H. F. No 144, an act defining the manner of surveying and establishing public roads.

Read third time, passed, and title agreed to.

C. F. No 127, joint resolution relative to the expenses of the Legislature.

On motion, read a first and second time, and referred to the committee on judiciary.

C. F. No 117, a bill defining the duties of sheriffs and other officers.

Read a third time, passed, and title agreed to.

H. F. No 147, an act to regulate proceedings to recover possession of claims on the public lands.

Indefinitely postponed.

C. F. No 3, joint resolution and memorial for the establishment of certain mail routes.

Indefinitely postponed.

C. F. No 70, a bill to establish a road from a point opposite Council Bluff City to a point opposite new Fort Kearney.

Laid on the table.

Mr. Nuckolls moved to reconsider the vote by which the bill relating to the style of the laws was passed.

On which motion, the ayes and nays were ordered and resulted as follows :

Ayes—Messrs. Bennet, Bradford, Cowles, Nuckolls and Sharp—5.

Nays—Messrs. Folsom, Goodwill, Jones, Mitchell, Richardson and Rogers—6.

So the motion to reconsider was lost.

Mr. Bennet, on leave, introduced

C. F. No 129, a bill for an act supplementary to an act entitled an act to incorporate Nebraska city.

On motion, read a first and second time, and referred to the committee on judiciary.

Mr. Mitchell offered the following:

*Resolved*, That Lyman Richardson be and he is hereby allowed the sum of three dollars per day for services rendered this body as clerk to committees copying bills, &c. from the first day of February up to the end of the session.

Laid over under the rule.

Mr. Mitchell, from the committee on enrollments, to whom was referred

C. F. No 102, reported back the same as correctly enrolled.

On motion the Council took a recess till 2 o'clock, P. M.

AFTERNOON SESSION.

Mr. Richardson, on leave, introduced

C. F. No 130, a bill relating to the pay of commissioners to lay out territorial roads.

Read a first and second time.

Mr. Jones offered the following amendment:

"Provided the expenses for laying out said roads shall not be chargeable to the counties through which they pass."

Whis amendment was lost.

Mr. Cowles moved the following amendment:

"This act shall apply to commissioners locating county seats."

Mr. Nuckolls moved to lay the amendment on the table.

Which was agreed to.

Mr. Folsom, from the committee on counties and county seats, to whom was referred

H. F. No 36, an act to define the boundaries and locate the seat of justice of Gage county, reported back the same recommending its passage.

Mr. Nuckolls moved to refer the bill to a select committee.

Messrs. Nuckolls, Bradford and Richardson were appointed as such committee.

Mr. Bennet, on leave, offered the following:

WHEREAS an apportionment for members of the Council and House of Representatives was made by his Excellency, the late Acting Governor of this Territory, which apportionment was based upon a census taken by the said Governor in accordance with the Organic Law of said Territory:

AND WHEREAS the said census was taken at a time when there were but few *actual* and *bona fide* residents living with their families and effects within this Territory, and consequently many of the *so called* legal voters returned upon the said census lists, being only constructive residents of, and having only an *intentional* residence in this Territory:

AND WHEREAS there is a great probability of there being a large emigration to this Territory prior to the next general election for members of the Legislative Assembly, thereby greatly augmenting the number of *bona fide* citizens, actual residents, and "Squatter Sovereigns" in different and now unsettled parts of this territory, who will have equally as good a right to a fair and equal representation in the next session of the Legislative Assembly as *we* and our *constituents*, their neighbors, who have only preceded them a few months in emigrating to this Territory:

AND WHEREAS, believing as we all do, in our individual popularity with the people, and the certainty of a re-election, and the right of the people and the *whole people*, to have a fair and equal representation in the Legislative Assembly, and especially in the *next* session, as at said next session a code

of laws for the government of this Territory for years to come will be submitted for adoption: Therefore,

*Resolved*, 1. That we as a body recommend to the individual members of this Council to manifest "their faith by their works," in the first and Democratic principles of "Squatter Sovereignty," and in the propriety of resigning each respectively his office as a member of the Council elect for two years from the 12th day of December, 1854, which said resignations shall take effect on the tenth day previous and in time for an election to fill the vacancies thereby created at the next general election, and

*Resolved*, 2. That we will use our best efforts at this session to authorize a new apportionment for members to both the Council and House of Representatives of this Territory, based upon a new census, to be taken according to proper regulations, after the spring and summer emigration to this Territory, believing as we do that it will more effectually and perfectly bring about "a greater good to a greater number," and constitute a Legislative body newly and fairly elected from and by the *whole people*, the "Squatter Sovereigns" of the land in whom alone rests the true source of Legislative power, and

*Resolved*, 3. That we mutually pledge ourselves to carry out the spirit and intent of these resolutions, by each and every one of us forthwith filing with his Excellency the Governor, Mark W. Izard, our certificates of resignation, conditioned as aforesaid.

Laid over under the rule.

Mr. Goodwill, on leave, introduced

C. F. No 131, a bill to incorporate the territorial bank of Nebraska.

Read a first time.

Mr. Mitchell, from the committee on enrollments, to whom was referred

C. F. No 96, reported back the same as correctly enrolled,

On motion, the Council adjourned.

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WEDNESDAY, MARCH 14th, 1855.

The Council met pursuant to adjournment.

Prayer by Rev. Mr. Goode.

Message from the House:

MR. PRESIDENT:—I have to inform you that the House of Representatives has passed the following bills, in which the concurrence of the Council is respectfully requested:

H. F. No 169, An act to incoryorate the Western Exchange, Fire and Marine Insurance Company.

H. F. No 170, An act to exempt a homestead from execution and forced sale, I herewith return you,

C. F. No 105, A bill for an act defining the duties of Judge of Probate.

C. F. No 106, Substitute, a bill for an act relative to criminal laws.

C. F. No 118, A bill for an act to incorporate the Florence land company.

C. F. No 121, A bill for an act authorizing the Governor to appoint emigrant agents.

C. F. No. 122, A bill for an act to establish a Territorial road from Pawnee to Nebraska Centre, the same having passed the House without ameudment.

I have to inform you that the House has reconsidered the amendment proposed by the Council to

H. F. No 72, An act to define the boundaries of Cuming county, and locating

the seat of justice therein, the same having been rejected by the House and the Council having refused to recede therefrom, and that the House now proposes to strike out the amendment of the Council and insert between the words 'following' and 'shall' the following:

'Beginning on the north line of Burt county, twenty miles west from the centre of the Missouri river, running thence to a point south, six miles south from the north line of Dodge county, thence west to the west line of Dodge county, thence north along the east line of McNeale county, twenty-four miles, thence east to a point so far east and no farther than the place of beginning, thence on a right line to the plaee of beginning, in which the concurrence of the Council is respectfully requested.

J. W. PADDOCK, Chief Clerk.

Mr. Mitchell, from the committee on Enrollments, to whom was referred,

C. F. Nos. 120, 116, 109, 117, 94, 112, 99, 119, 44, 111, 107, 113, reported back the same as correctly enrolled.

Message from the Executive by Mr. Secretary Izard:

Mr President:—I am instructed by the Governor to lay before your honorable body, the following message in writing:

Gentlemen of the Council:—I have carefully examined C. F. No. 102, entitled an act to prevent the sale and manufacture of intoxicating liquors, and I find in the 8th line of the 6th section of said act what I suppose to be a clerical error, which, if literally construed will entirely destroy its force and defeat the object of its framers, I therefore return said bill to the House in which it originated for correction.

MARK W. IZARD.

Mr. Nuckolls, from the select committee, to whom was referred,

H. F. No 136, An act to define the boundaries aud locate the seat of justice of Gage county, reported back the same with an amendment, recommending its passage.

Mr. Bennet, from the committee on the Judiciary, to whom was referred,

H. F. No 128, Substitute an act for taking the census, making appointment, holding elections and other purposes, submitted a minority report, recommending the passage of said bill without amendment.

Mr. Richardson, from the same committee, to whom was referred,

H. F. No 111, A bill prohibiting the settlement of free negroes and mulattoes in the Territory.

H. F. No 112, A bill regulating ferries &c.

C. F. No 123, A bill to provide for publishing and distributing the laws.

C. F. No 125, A bill to provide for laying out towns, reported back the same recommending their indefinite postponement.

Also, H. F. No. 128, Substitute a bill for taking a census, &c., reporting a substitute for the same, recommending its passage.

Mr. Folsom, from the committee on finance, ways and means, to whom was referred,

H. F. No 155, Joint resolution relating to expenses incurred and how provided for, reported back the same without amendment recommending its passage.

Mr. Goodwill, on leave introduced the following:

*Resolved*, That the Chief Clerk be instructed to correct the clerical mistake in C. F. No. 102, in such manner as shall correspond with the original bill, the same having been recommended by the Executive.

Laid over under the rule.

Message from the Executive, by Mr. Secretary Izard, to the Council in Executive session:

On motion, the Council went into executive session, and after remaining some time therein, resumed the business of open session, when

H. F. No 169, was taken up a bill to incorporate the Western Exchange, Fire and Marine Insurance Company.

Read the first time.

The question being taken on ordering the bill to a second reading, on a division it was so ordered.

H. F. No 170, was taken up, an act to exempt a homestead from execution and forced sale.

Read the first time.

The question being taken on ordering the bill to a second reading, on a division it was lost.

Mr. Goodwill moved to reconsider the vote by which the Council refused to order said bill to a second reading.

On which question the ayes and nays were ordered, and the result was as follows:

Ayes—*M*essrs. Clark, Folsom, Goodwill, Jones, Richardson, Rogers, Sharp—7.

Nays—Messrs. Bennet, Bradford, Cowles, Nuckolls, Mitchell—5.

So the motion to reconsider was agreed to.

Mr. Richardson, from the committee on the Judiciary, on leave reported the following bill, recommending its passage.

C. F. No 133, A bill adopting certain parts of the code of Iowa.

The following bills were severally taken up, and disposed of as follows:

H. F. No 72, An act to define the boundaries and locate the seat of justice of Cuming county.

The amendment proposed by the House to said bill were considered and concurred in.

H. F. No 160, Substitute an act to organize the militia.

Read a second time.

H. F. No 165, An act to incorporate the Nebraska city collegiate and preparatory institute.

Mr. Bradford moved to amend by inserting after 'that' 'Edward R. Hardin, A. A. Bradford, C. F. Holly. W. D. Gage, M. W. Riden, which amendment was lost.

Mr. Bradford moved to refer the title to the committee on incorporations, which was lost.

Said bill was read a third time, passed and title agreed to.

H. F. No 158, An act to incorporate the city of Carlisle in Greene county.

On motion, read a second and third time, passed and title agreed to.

H. F. No 157, An act to incorporate the city of Lawrence, in the county of York.

On motion, read a second and third time, passed and title agreed to.

H. F. No 154, A bill defining the standard of weights and measures.

On motion, laid upon the table.

H. F. No 166, An act to incorporate the Franklin Insurance Company.

Read a second time.

Mr. Bradford moved to refer the bill to the committee on Incorporations, which motion was lost.

C. F. No 131, A bill to incorporate the Territorial bank of Nebraska.

Mr. Nuckolls moved to lay the bill on the table.

On which the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bennet, Bradford, Clark, Cowles, Jones, Nuckolls, Rogers—7.

Nays—Messrs. Folsom, Goodwill, Mitchell, Richardson, Sharp—5.

So the bill was laid on the table.

The resolution relating to the per diem of Lyman Richardson, was taken up and adopted,

C. F. No. 130, A bill relating to the pay of commissioners to lay out territorial roads.

Read a third time, passed and title agreed to.

The resolution relating to the resignation of members was taken up, and

Mr. Richardson moved its indefinite postponement,

On which the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Clark, Folsom, Goodwill, Jones, Richardson, Rogers—6.

Nays—Messrs. Bennet, Bradford, Cowles, Nuckolls. Mitchell, Sharp—6.

So the motion to postpone was lost.

Mr. Folsom moved to lay the resolution on the table,

On which the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Clark, Folsom, Goodwill, Richardson, Rogers—5.

Nays—Messrs. Bennet, Bradford, Cowles, Jones, Nuckolls, Mitchell, Sharp—7.

So the motion to lay on the table was lost.

Message from the Executive by Mr. Secretary Izard:

MR. PRESIDENT:—I am instructed by the Governor to inform your honorable body that he has approved and signed the following bills viz:

C. F. No. 62, Entitled an act to incorporate the Sioux city ferry company.

C. F. No. 96, Entitled an act in relation to new counties.

C. F. No 108, Entitled an act to establish a ferry.

The Council resumed the consideration of the resolution relating to the resignation of members, when

Mr. Folsom moved that it be postponed till the 4th day of July.

On which the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Clark, Folsom, Goodwill, Richardson, Rogers—5.

Nays—Messrs. Bennet, Bradford, Cowles, Jones, Nuckolls, Mitchell, Sharp—7.

So the motion to postpone was lost.

Pending the further consideration of the resolution,

On motion of Mr. Goodwill,

The Council took a recess till 2 o'clock.

AFTERNOON SESSION.

The Council tock up the resolution pending, which they took a recess, and the question being taken on its adoption, the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bennet, Bradford, Cowles, Nuckolls, Sharp—5.

Nays—Messrs, Clark, Folsom, Goodwill, Jones, Mitchell, Richardson, Rogers—7.

So the resolution was rejected.

Mr. Mitchell moved to reconsider the vote by which,

C. F. No. 131, A bill to incorporate the territorial bank was laid on the table, which was agreed to.

Said bill was taken up, read a second time, and

On motion of Mr. Goodwill,

Referred to the committeee on the Judiciary, with instructions to report at their earliest convenience.

Mr. Bennet, from the committee on the Judiciary, to whom was referred,

H. F. No 153, Joint resolution authorizing the Secretary of the Territory to issue drafts on the Auditor of the Territory, on leave reported back the same, recommending its indefinite postponement.

Also, C. F. No 128, Joint resolution relative to the expenses of the Legislature, with an amendment recommending its passage.

Mr. Folsom asked, and obtained unanimous consent to take up

H. F. No 169, A bill to incorporate the Western Exchange, Fire and Marine Insurance Company.

Said bill was read a second time, and referred to the committee on Incorporations.

Also, H. F. No 166, An act to incorporate the Franklin Insurance Company.

Referred to the committee on Incorporations.

H. F. No. 128, was taken up, substitute a bill providing for taking a census &c., reported as a majority report from the committee on the Judiciary, by Mr. Richardson.

On motion of Mr. Nuckolls,

Said bill was indefinitely postponed.

H. F. No. 128, was taken up, a bill to take a census &c., reported as a minority report from the committee on the Judiciary by Mr. Bennet, to whom it was referred.

Mr. Clark moved to amend by inserting '1856' in Sec. 1

Mr. Nuckolls moved to lay the amendment on the table, which was agreed to.

The question recurring on the bill being read a third time, the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bennet, Baadford, Cowles, Nuckolls, Mitchell, Rogers, Sharp—9.

Nays—Messrs. Clark, Folsom, Richardson—3.

So said bill was read a third time, passed and title agreed to.

C. F. No 125, was taken up, a bill for an act providing for laying out towns. Read a third time, passed and title agreed to.

H. F. No 111, was taken up, an act prohibiting the settlement of free negroes and mulatoes in the Territory of Nebraska.

Mr. Richardson moved its indefinite postponement,

On which the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bennet, Cowles, Folsom, Goodwill, Jones, Mitchell, Richardson—7.

Nays—Messrs. Bradford, Clark, Rogers, Sharp—4.

So the bill was idefinitely postponed.

C. F. No 123, A bill to provide for publishing and distributing the laws.

On motion of Mr. Jones, laid upon the table.

C. F. No 133, was taken up, an act adopting certain parts of the code of Iowa.

On motion, read a first and second time.

Mr. Jones moved to amend by inserting, Chap. 61, of the code of Iowa, relating to private seals, which was agreed to.

Mr. Richardson moved to amend by inserting Chap. 83, of said code, relating to estates &c, ; also, by inserting Chap. 65, relating to oaths and acknowledgments, which amendments were agreed to.

On motion, read a third time, passed and title agreed to.

Mr. Goodwill, on leave introduced,

C. F. No 134, Joint resolution relating to commissioners to locate seats of justice.

On motion, read a first and second time.

H. F. No. 155, Joint resolution relating to expenses incurred. and how provided for.

Indefinitely postponed.

C. F. No 128, Joint resolution relative to the expenses of the Legislature.

The amendment proposed by the committee on the Judiciary, to whom was referred back, was concurred in, and said bill was ordered to be engrossed for a third reading.

H. F. No. 153, Joint resolution relative to authorizing the Secretary of the Territory to issue drafts on the Auditor &c., laid upon the table.

C. F. No. 129, An act supplemental to an act entitled 'an act to incorporate Nebraska city.'

On motion, read a third time, passed and title agreed to.

H. F. No 112, was taken up an act to regulate ferries and ferrymen.

Mr. Mitchell moved to lay the bill on the table, which was lost.

Mr. Clark moved to postpone for the present, which was agreed to.

H. F. No 136, An act to define the boundaries and locate the seat of justice of Gage county.

The amendments proposed by the select committee, to whom it was referred, were considered and concurred in, and

Said bill was read a third time, passed and title agreed to.

Mr. Bennet, from the committee on enrollments, to whom was referred,

C. F. No 128, Joint resolution relative to the expenses of the Legislature, on leave reported back the same as correctly enrolled.

On his motion, said bill was taken up, read a third time, passed and title agreed to.

H. F. No 128, Substitute an act for taking the census, making apportionment, holding elections, and other purposes.

Read a third time, passed and title agreed to.

Mr. Clark, from the committee on Incorporations, to whom was referred,

H. F. No 166, An act to incorporate the Franklin Insurance company.

H. F. No 169, A bill to incorporate the Western Exchange Fire and Marine Insurance Company, reported back the same without amendment, and recommending their passage.

Mr. Mitchell moved to take up,

H. F. No 169, A bill for an act to incorporate the Western Exchange, Fire and Marine Insurance Company, and,

Said bill was taken up and ordered to a third reading.

Mr. Richardson offered the following amendment:

'Provided that nothing in this act shall be so construed as to confer banking powers or privileges, is hereby expressly prohibited.

Mr. Mitchell moved to lay the amendment on the table.

On which motion the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bennet, Clark, Cowles, Folsom, Goodwill, Mitchell, Rogers—7.

Nays—Messrs. Bradford, Jones, Richardson, Sharp—4.

So the amendment was laid on the table.

The question being taken on ordering the bill to a third reading, the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bennet, Clark, Cowles, Folsom, Goodwill, Mitchell, Rogers—7,

Nays—Messrs. Bradford, Jones, Richardson, Sharp—4.

So said bill was ordered to a third reading.

On motion of Mr. Clark,

H, F. No 166, was taken up, an act to incorporate the Franklin Insurance Company.

Mr. Richardson offered the following amendment:

'Provided that nothing in this act shall be so construed as to confer banking powers and privileges, but the exercise of any and all such powers and privileges is hereby expressly prohibited.'

Mr. Mitchell moved to lay the amendment on the table.

On which the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bennet, Clark, Cowles, Folsom, Goodwill, Mitchell, Rogers—7.

Nays—Messrs. Bradford, Jones, Richardson, Sharp—4.

So the amendment was laid on the table.

Mr. Richardson, from the committee on the Judiciary, to whom was referred, C. F. No 131, A bill to incorporate the Territorial bank of Nebraska, reported back the same with an amendment as an additional Sec. 30.

Mr. Mitchell moved to take up the bill and report, for immediate action, pending which,

On his motion, the bill and report were recommitted to the committee on the Judiciary, with instructions to report to-morrow morning.

On motion, the Council adjourned.

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THURSDAY, MARCH 15, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Mr. Mitchell, from the committee on enrollments, to whom was referred C. F. No 118, reported back the same as correctly enrolled.

Mr. Richardson, from the committee on judiciary to whom was referred H. F. No 162, a bill to govern the pleadings and practice in courts, &c. reported back the same, recommending that it be laid upon the table.

Also, C. F. No 131, a bill to incorporate the territorial bank of Nebraska, with the amendment thereto relative to the deposite of stocks as security for the payment of its debts, reporting back further amendments, recommending its passage.

Mr. Goodwill, from the committee on elections, to whom was referred C. F. No 95, a bill to divide the Territory into Representative districts, reported back the same recommending that it be laid upon the table.

Message from the House.

Mr. PRESIDENT: I am instructed to inform you that the House of Representatives have passed the following bills, in which the Council is respectfully requested to concur:

H. F. No 70, an act concerning water crafts found adrift, lost goods, &c.

H. F. No 73, a bill to authorize Wm. Knight and others to keep a ferry across the Elkhorn River.

H. F. No 171, an act relative to roads.

H. F. No 173, a bill for an act to incorporate the Saline manufacturing company.

I herewith return you

C. F. No 104, substitute, a bill for an act to provide for a county revenue.

C. F. No 116, an act to provide for a territorial revenue.

C. F. No 124, an act to establish a territorial road from Platte river to Dakotah.

The same having passed the House without amendment.

I have to inform you that the House recedes from its amendment to Sec. 7, of

C. F. No 58, a bill relative to marriages.

J. W. PADDOCK, Chief Clerk.

The following bills were severally taken up and disposed of as follows:

H. F. No 70, an act concerning water crafts found adrift, lost goods, estray animals.

On motion, read a first and second time.

H. F. No 73, a bill to authorize Wm. Knight his associates, heirs and assigns to keep a ferry across the Elkhorn river. Read a first time.

H. F. No 171, an act relative to roads. Read a first time.

H. F. No 173, a bill for an act to incorporate the Saline manufacturing company. Read a first time.

H. F. No 170, an act to exempt a homestead from execution and forced sale.

Mr. Goodwill moved to amend by inserting "not exceeding two hundred dollars in value."

Mr. Mitchell moved to lay the bill and the amendment upon the table.

Which motion, on a division, was lost.

Mr. Goodwill, moved to postpone for the present.

Which was agreed to.

The resolution relative to instructing the chief clerk to correct the clerical mistake in

C. F. No 102, &c. was taken up.

Mr. Goodwill moved to amend by making the resolution a joint resolution.

On motion, the resolution and amendment were referred to the committee on judiciary.

C. F. No 134, joint resolution relating to commissioners to locate seats of justice. Read a first time.

On motion, referred to the committee on elections with instructions to report as early as convenient.

H. F. No 160, substitute, an act to organize the militia.

Mr. Rogers moved to lay the bill upon the table.

On which motion, the ayes and nays were ordered, and resulted as follows:

Ayes—Messrs. Bennet, Clark, Goodwill, Jones, Rogers and Sharp—6.

Nays—Messrs. Bradford, Clark, Richardson—3.

So the bill was laid on the table.

On motion, the Council took a recess till 2 o'clock.

AFTERNOON SESSION.

Mr. Goodwill, from the committee on elections, to whom was referred

C. F. No 134, joint resolution relating to commissioners to locate seats of justice, on leave, reported back the same with an amendment recommending its passage.

Said bill was taken up, amendment adopted, read a third time, passed and title agreed to.

H. F. No 169, was taken up, a bill for an act to incorporate the western exchange fire and marine insurance company.

Message from the Executive by Mr. Secretary Izard:

Mr. President—I am instructed by the Governor to inform your honorable body that he has approved and signed the following bills, resolutions, and memorials, viz:

C. F. No 120, entitled an act to incorporate the town of Elizabeth, in the counties of Dodge and Loupe.

C. F. No 107, entitled an act to incorporate the city of Tekamah, Burt county.

C. F. No 116, entitled an act to locate a territorial road.

C. F. No 112, entitled an act to lay out and establish a territorial road from Bellevue via Iron Bluffs, Dodge City, Fontenelle, to Catharine, in Cuming county.

C. F. No 99, entitled an act relative to money of account and interest.

C. F. No 177, entitled an act to establish a territorial road from Nebraska city to Grand Island, on Platte River.

C. F. No 113, entitled an act to incorporate the town of Brownville, Nemaha county.

C. F. No 111, entitled an act to locate and establish a territorial road from

the Missouri river, at or near Tekamah to Fontenelle, and from thence to Pawnee.

C. F. 119, entitled an act to lay out and establish a territorial road from Florence, in Douglas county, to Fontenelle, in Dodge county.

C. F. 94, entitled an act to locate a territorial road from Brownville to Marshall's Trading Point on the Big Blue river.

C. F. No 109, joint resolution and memorial asking right of way and a grant of land for the Platte Valley and Pacific railroad company.

C. F. No 44, joint resolution providing for the printing of the laws of the present session.

The Council resuming the consideration of

H. F. No 169, said bill was read a third time.

Mr. Richardson moved to refer it to the committee on incorporations, with instructions to amend the same so as to limit the charter so as to make the same amenable and repealable to the Legislature.

On which the ayes and nays were ordered and resulted as follows :

Ayes—Messrs. Bradford, Jones, Richardson and Sharp—4.

Nays——Messrs. Bennet, Clark, Cowles, Folsom, Goodwill, Mitchell and Rogers—7.

So the motion to refer was lost.

The question being taken on the passage of the bill,

The ayes and nays were ordered and resulted as follows:

Ayes——Messrs. Bennet, Clark, Cowles, Folsom, Goodwill, Mitchell and Rogers—7.

Nays—Messrs. Bradford, Jones, Richardson and Sharp—4.

So the bill was passed and title agreed to.

H. F. No 166, was taken up, an act to incorporate the Franklin insurance company.

Mr. Richardson moved to recommit the bill to the committee on incorporations, with instructions to make it amenable and repealable, and to limit its charter.

Mr. Goodwill moved to lay the motion on the table.

On which motion the ayes and nays were ordered and resulted as follows :

Ayes—Messrs. Bennet, Bradford, Clark, Cowles, Folsom, Goodwill, Mitchell and Rogers—8.

Nays——Messrs. Jones, Richardson and Sharp—3.

Said bill was read a third time.

Mr. Mitchell, from the committee on enrollments, to whom was referred

C. F. Nos. 106, 116, 121, 124, reported the same back as correctly enrolled.

The question being taken on the passage of the bill incorporating the Franklin insurance company,

The ayes and nays were ordered and resulted as follows :

Ayes——Messrs. Bennet, Clark, Cowles, Folsom, Goodwill, Mitchell and Rogers—7.

Nays—Messrs. Bradford, Jones, Richardson, and Sharp—4.

So the bill was passed, and title agreed to.

H. F. No 175, was taken up, a bill to authorize the Governor to appoint county clerks of the several counties.

Read a first time.

C. F. No 88, was taken up, a bill regulating elections.

The amendments proposed by the House to said bill were severally considered and concurred in.

C. F. No 95, was taken up, a bill for an act to divide the Territory into Representative districts.

Laid upon the table.

H. F. No 162, was taken up, an act to govern pleadings and practice in courts of justice in the Territory of Nebraska.

Laid on the table.

C. F. No 131, was taken up, a bill to incorporate the territorial bank of Nebraska.

The amendments proposed by the committee on judiciary were under consideration, pending which

Mr. Goodwill asked and obtained unanimous consent to withdraw the bill.

On motion of Mr. Cowles,

H. F. No 70, was taken up, an act concerning water crafts found adrift, lost goods, and estray animals.

Read a third time, passed, and title agreed to.

Mr. Mitchell, from the committee on enrollments, to whom was referred C. F. No 22, 104, reported back the same as correctly enrolled.

On motion of Mr. Rogers,

H. F. No 171, was taken up, an act relating to roads.

Read a second time, and referred to the committee on highways and bridges.

H. F. No 73, was taken up, a bill to authorize William Knight his heirs and assigns to keep a ferry across the Elkhorn river.

Mr. Mitchell moved its indefinite postponement.

On which the ayes and nays were ordered and resulted as follows:

Ayes—Messrs. Bennet, Bradford, Clark, Cowles, Folsom, Goodwill and Mitchell—7.

Nays—Messrs. Jones, Richardson, Rogers and Sharp—4.

So the bill was indefinitely postponed.

H. F. No 173, a bill for an act to incorporate the Saline manufacturing company, was taken up.

On motion, the rule was suspended, the bill was read a third time, passed, and title agree to.

Message from the House.

Mr. President—I am instructed to inform you that the House has passed H. F. No 175, a bill to authorize the Governor to appoint county clerks in the several counties,

In which the concurrence of the Council is respectfully requested.

I herewith return you

C. F. No 88, a bill relating to elections, with the substitute and amendments adopted by the House.

J. W. PADDOCK, Chief Clerk.

Mr. Bennet, on leave, introduced

C. F. No 133, joint resolution authorizing the clerk to correct an omission in C. *F.* No 102.

On motion, said bill was read a first and second time.

Mr. *F*olsom moved a call of the House.

On motion, all further proceedings under the call were dispensed with, and

On motion, the Council adjourned.

FRIDAY, MARCH 16, 1855.

MORNING SESSION.

Council met pursuant to adjournment.

Mr. Folsom, moved a call of the House, which being taken Messrs. Richardson, Jones, Mitchell absent.

On motion, all further proceedings under the call were dispensed with.

Message from the Executive by Mr. Secretary Izard.

MR. PRESIDENT—I am instructed by the Governor to inform your honorable body that he has approved and signed the following bill; viz—

C. F. No 121, Entitled an act to authorize the Governor to appoint Emigrant agents.

C. F. No 104, Entitled an act to provide for a county revenue.

C. F. No 118, Entitled an act to incorporate the Florence Land Company.

C. F. No. 116, Entitled an act to provide for a Territorial revenue.

C. F, 124, Entitled an act to locate and establish a Territorial road from Platte River to Dakotah.

C. F. No 106, Entitled an act relative to criminal laws.

C. F. No 122, Entitled an act to lay out and establish a Territorial road from Pawnee to Nebraska centre.

Message from the House:

MR. PRESIDENT—I am instructed to inform you that the Honse of Representatives has passed the following bills, in which the concurrence of the Council is respectfully requested.

H. F. 167, an act to establish a ferry across the north fork of the Platte River.

H. F. No 172, A bill to authorize Joel M. Wood and others to keep a ferry across the Missouri River in Forney county.

H. F. No 177, A bill to provide for printing and distributing the laws and Joint resolutions of this Territory.

H. F. No 178, An act to exempt a certain amount of property from forced sale. I herewith return you,

C. F. No 93, An act creating the offices and defining the duties of the Territorial Librarian, Auditor, and Treasuer.

C. F. No 133, An act adopting certain parts of the code of Iowa.

C. F. No 127, A bill to authorize Lorin Miller to erect a Toll Bridge.

C. F. No 117, A bill defining the duties of sheriffs and other officers.

C. F. No 129, An act supplementary to an act to incorporate Nebraska City.

C. F. No 128, Joint resolution relative to the expenses of the Legislature.

C. F. No 103, A act establishing the common school system, the same having passed the House without amendment.

J. W. PADDOCK, Chief Clerk.

Mr. Richardson, from the committee on judiciary to whom was referred the resolution of instructions to the clerk, reported back

C. F. No 135, Substitute, Joint resolution relating to the same subject recommending its passage.

Mr. Folsom, on leave, introduced

C. F. No 136, A bill to incorporate the town of Margarette.

On motion, read a first, second and third time, passed, and title agreed to,

H. F. No 175, Was taken up, a bill to authorize the Governor to appoint county clerks in the several counties. Laid on the table.

C. F. No 133, Was taken up, Joint resolution authorizing the clerk to correct an ommission in C. F. No 102. Read a third time, passed, and title agreed to.

H. F. No 167, An act to establish a ferry across the north fork of the Platte River.

On motion, read first, second and third time, passed, and title agreed to.

H F, No 172, An act to authorize Joel Wood and others to establish a ferry a cross the Missouri River in Forney county.

H. F. No, 178, An act to exempt a certain amount of property from forced sale, read a first time, on motion, read a second timo.

Mr. Richardson, moved to amend

Sec. 1, by inserting "or both" after the word property.

Which was agreed to.

On motion, said bill was read a third time, passed, and title agreed to.

H. F. 119, A bill authorizing J. S. Morton and associates to keep a ferry across the Platte River, read a first time.

Mr. Bennet, from the committee on enrollments to whom was referred

C. F. Nos 127, 133, 128, 105, 68, 58, 93, 129, reported the same back as correctly enrolled.

Mr. Richardson, on leave, introduced C. F. No 137, a bill to put in force in this Territory a portion of the common law of England.

On motion, read a first, second and third time, passed and title agreed to.

H. F. No 172, an act to authorize Joel Wood and associates to establish a ferry across the Missouri river, in Forney county.

On motion, read a second and third time, passed and title agreed to.

H. F. No 119, a bill authorizing J. S. Morton and others to keep a ferry, &c.

On motion read a second time.

Mr. Clark moved to amend by inserting the name of N. R. Folsom, George Hollister, I. R. Alden. Which was agreed to.

On motion, said bill was read a third time, passed, and title agreed to.

The joint resolution of instructions to the Chief Clerk, reported by the committee on judiciary, was taken up, and

On moti n of Mr. Goodwill,

Postponed for the present.

H. F. No 177, An act to provide for the printing and distributing the laws &c.,

On motion, read a first, second and third time, passed, and title agreed to.

Mr. Richardson on leave, introduced the following:

Resolved, That Isaac R. Alden, be and he is hereby allowed, three dollars per day for the term of seven days for services rendered as Clerk to committees of this Council, and for other services.

On motion, the resolution was adopted.

Mr. Cowles from the committee on Highways and Bridges, to whom was referred

H. F. No 171, An act relative to roads, reported back the same recommending its passage.

Message from the House:

Mr. President—I herewith return you C. F. No 133, Joint resolution authorizing the Clerk to correct an omission in C. F. No 102.

C. F. No 135, An act to incorporate the town of Margaretta, the same having passed the House without amendment.

J. W. PADDOCK, Chief Clerk.

H. F. No 171, was postponed for the present.

On motion, the Council took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

Mr. Rogers on leave, introduced C. F. 137, A bill regulating the sale of town lots.

On motion, read a first, second and third time, passed and title agreed to.

Message from the Executive by Mr. Secretary Izard:

Mr. President—I am instructed by the Governor to inform your honorable body that he has approved and signed the following bills, resolutions:

C. F. No 58, Entitled an act in relation to Marriages.

C. F. No 129, Entitled an act supplementary to an act to incorporate Nebraska City.

C. F. No 133, Entitled an act adopting certain parts of the code of Iowa.

C. F. No 124, Entitled an act to authorize Lorin Miller, his associates and assigns to keep a toll bridge across Shellcreek.

C. F. No. 93, Entitled an act creating the offices and defining the duties of the Territorial Librarian, Auditor and Treasurer.

C. F. No 68, Entitled an act relating to Courts and their jurisdiction.

C. F. No 117, Entitled an act defining the duties of sheriffs, and other officers.

C. F. No 105, Entitled an act defining the duties of Judge of Probate.

C. F. 102, Entitled an act to prevent the sale and manufacture of intoxicating liquors.

C. F. No 128, Joint resolution in relation to Territorial expenses &c.

Mr. Clark on leave, introduced the following resolutions, which were severally taken up. and adopted.

Resolved, That this Council tender their thanks to the President, for the able and impartial manner of discharging his duties as presiding officer of this body.

Resolved, That the Clerks of the Council are entitled to the thanks of this body for their impartial and faithful discharge of their arduous duties.

Resolved, That the Sargeant-at-arms and the other officers of this Council are entitled to our thanks for the faithful and prompt performance of their respective duties.

On motion, the Council took a short recess when the President again called the Council to order and the following message was announced from the Executive by Mr. Secretary Izard:

Mr. Presieent:—I am instructed by the Governor to inform your honorable body that he has approved and signed the following bills and resolutions:

C. F. No 137, Entitled an act to put in force in this Territory the common law of England.

C. F. No 135, Entitled an act to incorporate the town of Margaretta in the county of Lancaster.

C. F. No 103, Entitled an act to establish the common school system.

C. F. No 133, Joint resolution authorizing the clerk to correct errors.

On motion, the Council again took a short recess, when, being informed that the Executive was desirous of communicating a message.

The President called the Council to order and announced business for an Executive session.

On motion, the doors were closed and the Council went into executive session.

After some time spent therein, the doors were opened, and the business of open session was resumed.

On motion, the Council took a recess for half an hour, at the expiration of which time it was again called to order, when,

On motion of Mr. Goodwill,

A committee of two were appointed to wait upon His Excellency the Governor to inform him that the Council had no further business before them and were now ready to adjourn *sine die*.

Messrs. Goodwell and Richardson were appointed as such committee.

The committee retired, and after a brief interval returned, and by their chairman, Mr. Goodwell, submitted the following report.

Mr. President—Your committee appointed to wait upon the Governor and inform him of the hour fixed for the adjournment of this Council having discharged such duty report the same and take pleasure in saying that His Excellency returns his thanks for the kindness and courtesy extended to him by the Council during the term of his official labors.

Message from the Executive:

Mr. President—I am instructed by the Governor to inform your honorable body that he has approved and signed the following bill:

C. F. No 88, A bill regulating elections.

The hour having arrived fixed upon for adjournment, Mr. Richardson made the motion that the Council do now adjourn *sine die*.

The President arose and put the motion, and before announcing the decision, delivered the following address:

Gentlemen:—The vote just taken renders it necessary for us to separate, having closed the labors of the present session of this Council; you will indulge me for a moment. I am not willing to separate with you, gentlemen, without thanking you for your generous forbearance and gentlemanly conduct during our labors here, especially for your efficient support in maintaining good order throughout our deliberations.

The work assigned you was arduous and important, starting into life institutions—political, social, and religious—how this work has been done the future must reveal. Your names are enrolled upon the Historic page of the Territory, and will go down "the tide of time!"

Gentlemen, we may never meet again, but through all future life your humble speaker will look back with pleasure to the events of this session, the kind acts of each member will be fondly cherished while life remains, and "When I the burden of life shall have been borne"—when "Memory reels and is ready to give her charge" we shall still look back and remember your kindness.

The best wishes of your speaker attend you from this place, to the bosom of your families and constituents. May prosperity attend you, and your highest hopes of usefulness be fully realized. In the fullness of my heart—God bless you. Farewell.

I now pronounce this session adjourned *sine die*.

G. L. MILLER, Chief Clerk.

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